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Rules, Regulations, Orders

TITLE 6—AGRICULTURAL CREDIT

CHAPTER I—FARM CREDIT ADMINISTRATION

PART 27—FEDERAL LAND BANK OF SAINT PAUL

Correction

Paragraphs (c) and (d) of F. R. Doc. 42-1475, appearing in the issue of February 20, 1942 at page 1101, are corrected to read as follows:

(c) Where sales of gravel, timber, or other material constituting security, are hereafter made, there shall be charged a fee, as set out in paragraph numbered (a), above, based upon the aggregate consideration paid during the 12 months' period commencing with the date the first payment from such sale(s) is received by the Bank, or the date other disposition thereof is ordered by the Bank.

(d) Where sales of lots or other parcels of land, constituting security, are made hereafter, there shall be charged a fee, as set out in paragraph numbered (a), above, based upon the aggregate consideration paid during the 12 months' period commencing with the date the first payment from such sale(s) is received by the Bank, or the date other disposition thereof is ordered by the Bank.

TITLE 7—AGRICULTURE

CHAPTER VII—AGRICULTURAL ADJUSTMENT ADMINISTRATION

PART 721—CORN

REVISED PROCLAMATION OF ACREAGE ALLOTMENTS FOR COMMERCIAL CORN-PRODUCING AREA, 1942

Whereas section 328 of the Agricultural Adjustment Act of 1938, as Amended, provides in part as follows:

The acreage allotment of corn for any calendar year shall be that acreage in the commercial corn-producing area which, on the basis of the average yield for corn in such area during the ten calendar years immediately preceding such calendar year, adjusted for abnormal weather conditions and trends in yield, will produce an amount of corn in such area which the Secretary determines will, together with corn produced in the United States outside the commercial corn-producing area, make available a supply for the marketing year beginning in such calendar year, equal to the reserve supply level. The Secretary shall proclaim such acreage allotment not later than February 1 of the calendar year for which such acreage allotment was determined * * *

Whereas subsection (c) of section 301 of said Act provides as follows:

The latest available statistics of the Federal Government shall be used by the Secretary in making the determinations required to be made by the Secretary under this Act.

Whereas the proclamation of the acreage allotment of corn issued by Mr. Grover B. Hill, Acting Secretary of Agriculture of the United States of America, on September 18, 1941,[1] which was based upon the latest statistics of the Federal Government then available, does not now properly reflect current trends in domestic consumption and exports of corn and would likely result in an inadequate supply of corn for the 1942-43 marketing year to meet consumption and reserve requirements in view of the profound changes in conditions which have occurred since September 18, 1941, and

Now, therefore, be it known that I, Claude R. Wickard, Secretary of Agriculture of the United States of America, acting under and pursuant to, and by virtue of, the authority vested in me by the Act of Congress known as the Agricultural Adjustment Act of 1938, as Amended, upon the basis of the latest available statistics of the Federal Government, do hereby ascertain, determine, and proclaim under section 328 of said Act, thereby superseding the proclamation of the acreage allotment of corn issued September 18, 1941:

§ 721.402 *Corn acreage allotment for the commercial corn-producing area for*

[1] 6 F.R. 4812.

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RULES, REGULATIONS, ORDERS

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FEDERAL REGISTER

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1942. That the acreage allotment of corn for the commercial corn-producing area for the calendar year 1942, shall be 41,338,000 acres. (52 Stat. 52,202, 7 U.S.C. 1940 ed. 1328)

Done at Washington, D. C. this 3d day of March 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD, *Secretary of Agriculture.*

[F. R. Doc. 42-1862; Filed, March 3, 1942; 11:30 a. m.]

TITLE 14—CIVIL AVIATION

CHAPTER I—CIVIL AERONAUTICS BOARD

[Amendment 61-32, Civil Air Regulations]

PART 61—SCHEDULED AIR CARRIER RULES

REGULATING OCCUPANCY OF PILOTS' COMPARTMENT

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 27th day of February 1942.

Acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 601 and 604 of said Act, and finding that its action is desirable in the public interest and is necessary to carry out the provisions of, and to exercise and perform its powers and duties under, said Act, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective February 27, 1942, Part 61 of the Civil Air Regulations is amended as follows:

1. By striking paragraph (c) of § 61.7803 [1] and substituting in lieu thereof the following:

§ 61.7803 *Pilots' compartment.*

* * * * *

(c) Unless a seat is also available for his use in the passenger compartment, no person shall be admitted to the pilots' compartment during scheduled flight except:

(1) A member of the flight crew;

(2) A person engaged during flight in the checking of pilots' operations for the Federal Government or for the air carrier;

(3) Flight supervisory personnel of the air carrier concerned who are certificated pilots;

(4) First or second pilots listed in Operations Specifications of the air carrier concerned or any first or second pilots listed in the Operations Specifications—Airmen of another air carrier who have been authorized by the air carrier concerned and the Administrator to make the trips over the route being flown for the purpose of route qualification or familiarization;

(5) Certificated aircraft dispatchers of the air carrier concerned or certificated aircraft dispatchers of another air carrier who have been authorized by the air carrier concerned and the Administrator to make the trips over the route being flown for the purpose of establishing or maintaining dispatcher route qualification; or

(6) Certificated mechanics of the air carrier concerned, in the performance of duty.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN, *Secretary.*

[F. R. Doc. 42-1874; Filed, March 3, 1942; 11:55 a. m.]

TITLE 16—COMMERCIAL PRACTICES

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. 4237]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF MASTERKRAFT GUILD WEAVERS, INC., ET AL.

§ 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Place—Domestic product as imported:* § 3.66 (k)

[1] 6 F.R. 540, 1334, 5485.

Misbranding or mislabeling—Source or origin—Place—Imported product or parts as domestic: § 3.69 (b) *Misrepresenting oneself and goods—Goods—Source or origin—Place—Imported product or parts as domestic:* § 3.96 (a) *Using misleading name—Goods—Source or origin—Place—Foreign product as domestic.* In connection with offer, etc., in commerce, of respondents' rugs, and among other things, as in order set forth, using the names "Chatham", "Dixie" or "New Cape Colony", or any other distinctively American name, to designate or describe rugs which are not in fact made in the United States; prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Sup. IV, sec. 45b) [Cease and desist order, Masterkraft Guild Weavers, Inc., et al., Docket 4237, February 24, 1942]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer or seller—Manufacturer:* § 3.66 (g) *Misbranding or mislabeling—Producer status of dealer or seller:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Producer status of dealer:* § 3.96 (b) *Using misleading name—Vendor—Producer or laboratory status of dealer or seller.* In connection with offer, etc., in commerce, of respondents' rugs, and among other things, as in order set forth, using the word "Weavers" as a part of the corporate or trade name of respondent Masterkraft Guild Weavers, Inc., or otherwise representing that respondent Masterkraft Guild Weavers, Inc. manufactures the rugs sold by respondents; prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Sup. IV, sec. 45b) [Cease and desist order, Masterkraft Guild Weavers, Inc., et al., Docket 4237, February 24, 1942]

§3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Place—Foreign, in general:* § 3.66 (d) *Misbranding or mislabeling—Nature:* § 3.66 (k) *Misbranding or mislabeling—Source or origin—Place—Foreign, in general:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Nature:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Source or origin—Place—Foreign, in general:* § 3.96 (a) *Using misleading name—Goods—Nature:* § 3.96 (a) *Using misleading name—Goods—Source or origin—Place—Foreign, in general.* In connection with offer, etc., in commerce, of respondents' rugs, and among other things, as in order set forth, (1) using the words "Hong Kong" or "Canton", or any other word indicative of Chinese origin, to designate or describe rugs which are not in fact made in China and which do not possess all of the essential characteristics of Chinese Oriental rugs; and (2) using the words "Mahah", "Numda", "Kirma", "Oriental", "Orienta" or Bagdad", or any other word indicative of the Orient, to designate or describe rugs which are not in fact made in the Orient and which do not possess all of the essential characteristics of Oriental rugs; prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Sup. IV, sec. 45b) [Cease and desist order, Masterkraft Guild Weavers, Inc., et al., Docket 4237, February 24, 1942]

§ 3.6 (m 10) *Advertising falsely or misleadingly—Manufacture or preparation:* § 3.6 (n) *Advertising falsely or misleadingly—Nature—Product.* In connection with offer, etc., in commerce, of respondents' rugs, and among other things, as in order set forth, using the word "reproduction", or any other word of similar import, to designate or describe rugs which are not in fact reproductions in all respects of the type named, including material; prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Sup. IV, sec. 45b) [Cease and desist order, Masterkraft Guild Weavers, Inc., et al., Docket 4237, February 24, 1942]

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.66 (a 7) *Misbranding or mislabeling—Composition:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Composition:* § 3.96 (a) *Using misleading name—Goods—Composition.* In connection with offer, etc., in commerce, of respondents' rugs, and among other things, as in order set forth, using the term "Wool-Tex", or any other term of similar import, to designate or describe rugs which are not composed wholly of wool; prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Sup. IV, sec. 45b) [Cease and desist order, Masterkraft Guild Weavers, Inc., et al., Docket 4237, February 24, 1942]

§ 3.18 *Claiming indorsements or testimonials falsely:* § 3.66 (c) *Misbranding or mislabeling—Indorsements, approvals or awards.* In connection with offer, etc., in commerce, of respondents' rugs, and among other things, as in order set forth, representing that respondents' rugs have been "approved" or "accepted" by the "American Bureau of Home Standards"; or representing that respondents' rugs have been approved or accepted by any agency or organization unless such is the fact, and unless the purported agency or organization is a disinterested, independent body qualified to pass judgment on such matters; prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Sup. IV, sec. 45b) [Cease and desist order, Masterkraft Guild Weavers, Inc., et al., Docket 4237, February 24, 1942]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Individual or corporate business as association or guild:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Individual or private business as professional person, association or guild:* § 3.96 (b) *Using misleading name—Vendor—Individual or corporate business as association or guild.* In connection with offer, etc., in commerce, of respondents' rugs, and among other things, as in order set forth, using the word "Guild", or any other word of similar import, as a part of the corporate or trade name of respondent Masterkraft Guild Weavers, Inc., or otherwise representing that said respondent is a guild; prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Sup. IV, sec. 45b) [Cease and desist order, Masterkraft Guild Weavers, Inc., et al., Docket 4237, February 24, 1942]

In the Matter of Masterkraft Guild Weavers, Inc., a Corporation; Asia Mohi Company, Ltd., a Corporation, and C. James Garofalo, Individually and as President of Masterkraft Guild Weavers, Inc., and Asia Mohi Company, Ltd.

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 24th day of February, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents, and a stipulation as to the facts entered into between the respondents and Richard P. Whiteley, Assistant Chief Counsel for the Commission, which provides that without further evidence or other intervening procedure the Commission may issue and serve upon the respondents herein findings as to the facts and conclusion based thereon, and an order disposing of the proceeding, and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents, Asia Mohi Company, Ltd., a corporation, Masterkraft Guild Weavers, Inc., a corporation, their officers, and C. James Garofalo, individually and as an officer of said corporations, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of respondents' rugs in commerce, as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the names "Chatham", "Dixie" or "New Cape Colony", or any other distinctively American name, to designate or describe rugs which are not in fact made in the United States;

2. Using the words "Weavers" as a part of the corporate or trade name of respondent Masterkraft Guild Weavers, Inc., or otherwise representing that respondent Masterkraft Guild Weavers, Inc. manufactures the rugs sold by respondents.

It is further ordered, That respondents Asia Mohi Company, Ltd., its officers, and C. James Garofalo, individually and as an officer of said corporation, and said respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of respondents' rugs in commerce, as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "Hong Kong" or "Canton", or any other word indicative of Chinese origin, to designate or de-

scribe rugs which are not in fact made in China and which do not possess all of the essential characteristics of Chinese Oriental rugs;

2. Using the words "Mahah", "Numda", "Kirma", "Oriental", "Orienta" or "Bagdad", or any other word indicative of the Orient, to designate or describe rugs which are not in fact made in the Orient and which do not possess all of the essential characteristics of Oriental rugs;

3. Using the word "reproduction", or any other word of similar import, to designate or describe rugs which are not in fact reproductions in all respects of the type named, including material;

4. Using the term "Wool-Tex", or any other term of similar import, to designate or describe rugs which are not composed wholly of wool;

5. Representing that respondents' rugs have been "approved" or "accepted" by the "American Bureau of Home Standards"; or representing that respondents' rugs have been approved or accepted by any agency or organization unless such is the fact, and unless the purported agency or organization is a disinterested, independent body qualified to pass judgment on such matters.

It is further ordered, That respondents Masterkraft Guild Weavers, Inc., its officers, and C. James Garofalo, individually and as an officer of said corporation, and said respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of respondents' rugs in commerce, as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

Using the word "Guild", or any other word of similar import, as a part of the corporate or trade name of respondent Masterkraft Guild Weavers, Inc., or otherwise representing that said respondent is a guild.

It is further ordered, That all of the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-1846; Filed, March 3, 1942; 11:16 a. m.]

[Docket No. 4481]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF TUF-NUT GARMENT MANUFACTURING COMPANY

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of work garments, or any other merchandise, (1) supplying, etc., retail dealers or others, with display posters or any other sales plans or devices which are to be used, or may be used, in the sale or distribution of work garments or any other merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme; and (2) selling, etc., any merchandise by means of a game of chance, gift enterprise, or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Sup. IV, sec. 45b) [Cease and desist order, Tuf-Nut Garment Manufacturing Company, Docket 4481, February 24, 1942]

In the Matter of Little Rock Tent & Awning Company, a Corporation, Trading as Tuf-Nut Garment Manufacturing Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 24th day of February, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondent, stipulation as to the facts entered into by and between counsel for the Commission and counsel for the respondent upon the record, and briefs filed in support of the complaint and in opposition thereto; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Little Rock Tent & Awning Company, a corporation, trading under the name of Tuf-Nut Garment Manufacturing Company, or under any other name, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of work garments, or any other merchandise, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Supplying to, or placing in the hands of, retail dealers or others, display posters or any other sales plans or devices which are to be used, or may be used, in the sale or distribution of work garments or any other merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme;

(2) Selling, or otherwise disposing of, any merchandise by means of a game of chance, gift enterprise, or lottery scheme.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-1848; Filed, March 3, 1942; 11:17 a. m.]

[Docket No. 4487]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF PACIFIC FRUIT & PRODUCE COMPANY, ET AL.

§ 3.7 *Aiding, assisting and abetting unfair or unlawful act or practice:* § 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices:* § 3.27 (f) *Combining or conspiring—To limit distribution to regular or established channels:* § 3.27 (g) *Combining or conspiring—To maintain monopoly:* § 3.33 (a) *Cutting off competitors' supplies—Exclusive contracts with suppliers.* In connection with offer, etc., in commerce, of broad leaf spinach or other produce, and on the part of respondent shippers, brokers, and jobbers, and their respective agents, etc., or any two or more of them, and with or without the cooperation of others not a party hereto, (1) entering into, continuing, or carrying out, or directing, instigating, or cooperating in, any common course of action, mutual agreement, combination, or conspiracy which is designed to, or has the capacity, tendency, or effect of, restricting, restraining, suppressing, or eliminating competition in, or monopolizing the trade in, broad leaf spinach or other produce in commerce among and between the several states of the United States, and particularly that produced in the Walla Walla district of the State of Washington and sold in the trade area in and around the City of Chicago in the State of Illinois; (2) entering into, continuing, or carrying out, or directing, instigating, or cooperating in, any common course of action, mutual agreement, combination, or conspiracy which is designed to, or has the capacity, tendency, or effect of (a) restricting the sale and purchase of broad leaf spinach or other produce, to selected shippers and jobbers; (b) determining, controlling, or limiting the number of jobbers or wholesalers who shall purchase or offer said broad leaf spinach or other produce for sale in any designated area or market; (c) causing all purchases and sales of broad leaf spinach and other produce to be made through C. H. Robinson Company or any other designated broker or brokers; (d) preventing jobbers and wholesalers not parties to such agreement, from purchasing from selected shippers of broad leaf spinach and other produce from the Walla Walla district of the State of Washington; (e) fixing, maintaining, manipulating, or enhancing the price of broad leaf spinach or other produce, to dealers or to the public in the City of Chicago and surrounding area, or any other district; and (3) curtailing, restricting, or regulating the amount of broad leaf spinach or other produce to be shipped into the Chicago market, or any other designated area, from the Walla Walla district of the State of Washington; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Sup. IV, sec. 45b) [Cease and desist order, Pacific Fruit & Produce Company, et al., Docket 4487, February 24, 1942]

In the Matter of Pacific Fruit & Produce Company, a Corporation; Walla Walla Gardeners' Association, a Cooperative Association; Mojonnier & Sons, Inc., a Corporation; Walla Walla Produce Company, a Corporation; Ewing M. Stephens and Eugene Tausich, Copartners, Trading as Valley Fruit Company; C. H. Robinson Company, a

Corporation; La Mantia Brothers Arrigo Company, a Corporation; Owen T. Hill and Robert S. Hill, Co-partners, Trading as Mark Owen & Company; John Plennert and John Mahoney, Co-partners, Trading as P. & M. Distributing Company; Arthur Applebaum and Maurice J. Missner, Co-partners, Trading as Applebaum-Missner Company; and Robert M. Steinberg, Individually and as Manager of the Chicago Branch of C. H. Robinson Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 24th day of February, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of the respondents, testimony and other evidence taken before William C. Reeves and W. W. Sheppard, trial examiners of the Commission theretofore duly designated by it, in support of the allegations of said complaint and in opposition thereto, report of the trial examiners upon the evidence and exceptions filed thereto, and briefs filed in support of the complaint and in opposition thereto; and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents Pacific Fruit & Produce Company, a corporation; Walla Walla Gardeners' Association, a cooperative association; Mojonnier & Sons, Inc., a corporation; Walla Wall Produce Company, a corporation; C. H. Robinson Company, a corporation; and LaMantia Brothers Arrigo Company, a corporation; and their respective officers, agents, representatives, and employees; and Ewing M. Stephens and Eugene Tausich, co-partners trading as Valley Fruit Company; Owen T. Hill and Robert S. Hill, co-partners trading as Mark Owen & Company; John Plennert and John Mahoney, co-partners trading as P. & M. Distributing Company; Arthur Applebaum, surviving partner of co-partnership composed of Arthur Applebaum and Maurice J. Missner, trading as Applebaum-Missner Company; and Robert M. Steinberg, an individual and manager of the Chicago branch of C. H. Robinson Company; and their respective agents, representatives, and employees, or any two or more of said respondents, with or without the cooperation of others not party hereto, in connection with the offering for sale, sale and distribution of broad leaf spinach or other produce in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Entering into, continuing, or carrying out, or directing, instigating, or cooperating in, any common course of action, mutual agreement, combination, or conspiracy which is designed to, or has the capacity, tendency, or effect of, restricting, restraining, suppressing, or eliminating competition in, or monopolizing the trade in, broad leaf spinach or other produce in commerce among and between the several states of the United States, and particularly that produced in the Walla Walla district of the State of Washington and sold in the trade area in and around the City of Chicago in the State of Illinois;

(2) Entering into, continuing, or carrying out, or directing, instigating, or cooperating in, any common course of action, mutual agreement, combination, or conspiracy which is designed to, or has the capacity, tendency, or effect of

(a) Restricting the sale and purchase of broad leaf spinach or other produce, to selected shippers and jobbers;

(b) Determining, controlling, or limiting the number of jobbers or wholesalers who shall purchase or offer said broad leaf spinach or other produce for sale in any designated area or market;

(c) Causing all purchases and sales of broad leaf spinach and other produce to be made through C. H. Robinson Company or any other designated broker or brokers;

(d) Preventing jobbers and wholesalers not parties to such agreement, from purchasing from selected shippers of broad leaf spinach and other produce from the Walla Walla district of the State of Washington;

(e) Fixing, maintaining, manipulating, or enhancing the price of broad leaf spinach or other produce, to dealers or to the public in the City of Chicago and surrounding area, or any other district;

(3) Curtailing, restricting, or regulating the amount of broad leaf spinach or other produce to be shipped into the Chicago market, or any other designated area, from the Walla Walla district of the State of Washington.

It is further ordered, That the complaint herein be, and the same hereby is, dismissed as to the respondent Maurice J. Missner, deceased.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-1847; Filed, March 3, 1942; 11:17 a. m.]

TITLE 25—INDIANS

CHAPTER I—OFFICE OF INDIAN AFFAIRS

PART 130—ORDERS FIXING OPERATION AND MAINTENANCE CHARGES

CROW INDIAN IRRIGATION PROJECT, MONTANA

FEBRUARY 24, 1942.

This Order as amended by the Acting Assistant Secretary of the Interior on March 5, 1940 (5 F.R. 1213), is further amended by modifying § 130.12 thereof to read as follows:

§ 130.12 *Charges.* Pursuant to the Act of August 1, 1914 (38 Stat. 583, 25 U.S.C., 385), the charges for operation and maintenance on lands under the Crow Indian Irrigation Project, Montana, to which water can be delivered, are hereby fixed on the several units as follows until further order:

Government operated units, except Coburn Ditch, per acre	$1.25
Two Leggins Unit, per acre	1.20
Boseman Trail Unit, per acre	.65

(38 Stat. 583, 44 Stat. 660, 45 Stat. 210; 25 U.S.C. 385, 387)

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 42-1843; Filed, March 3, 1942; 9:48 a. m.]

PART 130—ORDERS FIXING OPERATION AND MAINTENANCE CHARGES

FLATHEAD INDIAN IRRIGATION PROJECT, MONTANA

FEBRUARY 24, 1942.

This Order as amended by the Assistant Secretary of the Interior on March 22, 1941 (6 F.R. 1712), is further amended by modifying § 130.17 thereof to read as follows:

§ 130.17 *Charges, Mission Valley and Camas Divisions.* A minimum charge of one dollar and eighteen cents ($1.18) per acre shall be levied against all irrigable land within these divisions as defined in § 130.16 (a) to which water can be delivered, regardless of whether water is used.

This charge shall entitle the farm unit, allotment, or tract of land to receive one and one-half acre-feet of water per irrigable acre or, in case of shortage, the proportionate share of the available supply.

For water delivered in excess of one and one-half acre-feet per irrigable acre there shall be an additional charge of seventy-five cents (75¢) per acre-foot.

(38 Stat. 583, 39 Stat. 142, 45 Stat. 210; 25 U.S.C. 385, 387)

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 42-1844; Filed, March 3, 1942; 9:49 a. m.]

TITLE 26—INTERNAL REVENUE

CHAPTER I—BUREAU OF INTERNAL REVENUE

SUBCHAPTER A—INCOME AND EXCESS PROFITS TAXES

[T.D. 5122]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

Computation of Limitation Upon the Credit for Foreign Taxes in Relation to Excess Profits Tax

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.], relating to the income tax under the Internal Revenue Code, to the Revenue Act of 1941 (Public Law 250, Seventy-seventh Congress), approved September 20, 1941, such regulations are amended as follows:

Section 19.131–8 [1] is amended by adding at the end thereof the following:

§ 19.131–8 *Limitations on credit for foreign taxes.* * * *

Under the provisions of section 202, Revenue Act of 1941, amending section 23 (c) of the Internal Revenue Code, the excess profits tax imposed by Subchapter E of Chapter 2 is, for years beginning after December 31, 1940, allowed as a deduction in the computation of net income for the purposes of Chapter 1. An aliquot part of such excess profits tax shall be attributable to the net income from sources within each foreign country. The amount so attributable is that proportion of the total excess profits tax which the excess profits net income from sources within such country bears to the total excess profits net income. In the determination of the limitation provided in section 131 (b) (1), relating to the amount of credit against the normal tax, the numerator of the limitation fraction shall reflect reduction for the amount of the excess profits tax thus attributed to the net income from sources within the foreign country.

The operation of this method of computing the limitation fraction may be illustrated by the following example relating to a domestic corporation for the calendar year 1941:

Excess profits credit		$100,000
Net income for taxable year (before deducting excess profits tax):		
From sources in Country A	$50,000	
From sources in United States	80,000	
Total net income		130,000
Less: Credit for dividends received (85 percent of $10,000 dividends from a domestic corporation)		8,500
Normal tax net income (before deducting excess profits tax)		121,500
Excess profits tax net income:		
Net income from sources in Country A	$50,000	
Less: Adjustments under section 711	None	
Excess profits net income from sources in Country A		50,000
Net income from sources in United States	$80,000	
Less: Dividends from domestic corporations as above	8,500	
	71,500	
Less: Adjustments under section 711	None	
		71,500
Excess profits net income		121,500
Less: Excess profits credit plus specific exemption of $5,000		105,000
Adjusted excess profits net income		16,500
Excess profits tax		5,775
Normal tax net income (before deducting excess profits tax)		121,500
Less: Excess profits tax		5,775
Normal tax net income		115,725
Normal tax and surtax (before foreign tax credit)		35,624.75

COMPUTATION OF FOREIGN TAX CREDIT FOR PURPOSES OF NORMAL TAX AND SURTAX

Foreign Tax paid on Country A income		$16,000
Net income from Country A adjusted for ratable part of excess profits tax deduction		
$50,000 (net income from sources in Country A before deducting excess profits tax) − [$50,000 (excess profits net income from Country A) / $121,500 (total excess profits net income)] × $5,775 (total excess profits tax)	=	$47,623.46
Normal tax net income		$115,725.00
Limitation on credit (section 131 (b) (1)):		
$47,623.46 / $115,725.00 × $35,624.75		14,660.39
Amount allowable as credit		14,660.39

COMPUTATION OF CREDIT FOR THE PURPOSES OF EXCESS PROFITS TAX

Foreign tax paid on Country A income	$16,000.00
Amount allowed as credit with respect to tax imposed by Chapter 1	14,660.39
Balance available as a credit for purposes of the excess profits tax	1,339.61
Limitation on credit (sections 131 (b) (1) and 729 (d) (1)):	
$50,000 (excess profits net income from Country A) / $121,500 (entire excess profits net income) × $5,775 = $2,376.54	
Amount allowable as credit	$1,339.61

Similarly under section 131 (b) (2), the taxpayer's net income from sources without the United States shall be reduced by that portion of the total excess profits tax which is attributable to the net income from sources without the United States.

(This Treasury decision is issued under the authority contained in section 131 of the Internal Revenue Code (53 Stat. 56, 26 U.S.C. 1940 Ed. 131) and section 202 of the Revenue Act of 1941 (Public Law 250—77th Congress).)

[SEAL] NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved: March 2, 1942.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 42–1841; Filed, March 2, 1942; 4:53 p. m.]

[1] 5 F.R. 488.

SUBCHAPTER C—MISCELLANEOUS EXCISE TAXES

[T.D. 5121]

PART 171—MISCELLANEOUS REGULATIONS RELATED TO LIQUOR

Subpart H—Transportation of Distilled Spirits, Alcohol and Specially Denatured Alcohol by Tank Trucks

By virtue of sections 3108 (a), 3124 (a) (6), and 3176, Internal Revenue Code, and the Act of January 24, 1942 (Public Law 412—77th Congress), the following regulations are prescribed:

§171.40 *General.* Subject to the conditions prescribed hereinafter, distilled spirits, alcohol, and specially denatured alcohol described below may be transported in tank trucks owned and operated by the consignor or the consignee, or by a motor carrier. The term "motor carrier" shall mean a motor carrier licensed under the Motor Carrier Act of 1935, or an applicable state law.

(a) Distilled spirits of 160 degrees or more of proof:

(1) Withdrawn from a registered distillery, fruit distillery, or an internal revenue bonded warehouse, pursuant to withdrawal permits on Form 1444 (Distilled Spirits) issued to the United States or any governmental agency thereof, for use at arsenals, munitions plants, ordnance depots, and similar places; or

(2) Transferred in bond from a registered distillery, fruit distillery, or an internal revenue bonded warehouse to a denaturing plant.

(b) Alcohol produced under the provisions of Part II, Subchapter C, Chapter 26, Internal Revenue Code:

(1) Withdrawn from an industrial alcohol plant, or an alcohol bonded warehouse, pursuant to withdrawal permits on Form 1444 issued to the United States or any governmental agency thereof, for use at arsenals, munitions plants, ordnance depots, and similar places; or

(2) Transferred in bond between industrial alcohol plants, alcohol bonded warehouses, and denaturing plants pursuant to withdrawal permits, Forms 1436, 1438, 1464, or 1465.

(c) Specially denatured alcohol withdrawn from denaturing plants pursuant to withdrawal permits, Forms 1477, 1485, or 1486, for use at powder plants, arsenals, munitions plants, and similar places. (Secs. 3108 (a), 3124 (a) (6), 3176, I.R.C., Act of January 24, 1942)

§ 171.41 *Permits and bonds*—(a) *New carriers.* Motor carriers, in order to transport specially denatured alcohol, tax-free alcohol, and tax-free distilled spirits, or any one of such products, by tank trucks, must procure permits so to do, in accordance with section 3114, Internal Revenue Code, and Regulations 3 (26 CFR, Part 182), and file bond, Form

49. The terms of the bond shall be modified to cover distilled spirits of 160 degrees or more of proof withdrawn for tax-free purposes, in addition to tax-free and denatured alcohol, and shall be in the penal sum of $50,000 for each tank truck used, and not more than $200,000 for the total of all tank trucks used. Where such permit is obtained and bond is filed, the permit will also authorize transportation of such products in barrels or drums without additional bond requirement.

(b) *Transportation by consignors or consignees.* A consignor or consignee, in order to transport in tank trucks distilled spirits, alcohol, and specially denatured alcohol described in § 171.40, must file application on Form 144 and procure permit, Form 145, authorizing such transportation, and file consent of surety, Form 1533, on his bond, Form 30, 30½, 1571, 1432–A, or 1480, as the case may be, extending the terms thereof to be liable for such distilled spirits, alcohol, or specially denatured alcohol transported by him, as follows:

(1) In the case of tax-free alcohol and distilled spirits, the bond, Form 30, 30½, 1571, or 1432–A, shall be extended to be liable for an amount equal to the tax, together with interest, if such alcohol or distilled spirits are transported, used, or sold contrary to law or regulations now or hereafter in force.

(2) In the case of specially denatured alcohol, bond, Form 1432–A or 1480, shall be extended to be liable for the tax, together with penalties and interest, on all specially denatured alcohol withdrawn, transported, used, or sold in violation of laws or regulations now or hereafter in force.

If the maximum of the present bond is not sufficient when computed as set forth in paragraph (a), the consent of surety (or a new bond in lieu thereof) must assume the additional liability.

These requirements shall not apply where specially denatured alcohol, tax-free alcohol, or tax-free distilled spirits are withdrawn by the United States or any governmental agency thereof and are transported in tank trucks operated by employees of the United States.

(c) *Present permits and bonds.* Basic permits and bonds now held by motor carriers, and by consignors and consignees which authorize the transportation of tax-free alcohol and specially denatured alcohol, may, on application and the filing of consents of surety, be modified to authorize tank truck shipments of specially denatured alcohol, tax-free alcohol, and tax-free distilled spirits, and to contain an undertaking to be liable for the tax, or an amount equal to the tax, as provided in subparagraph (1) or (2) of paragraph (b), as the case may be. The consent of surety (or, if preferred, a new bond) must be modified so that the principal and surety will be responsible to the extent of $50,000 on each tank truck used, and not more than $200,000 for the total of all tank trucks used. (Secs. 3108 (a), 3124 (a) (6), 3176, I.R.C. Act of January 24, 1942)

§ 171.42 *Procedure*—(a) *Gauging, filling, and labeling.* Distilled spirits, alcohol, and specially denatured alcohol transferred by tank trucks will be shipped pursuant to the applicable provisions of Regulations 3, 4, 5, and 10 (26 CFR, Parts 182, 183, 184, and 185), concerning transfers in bond by tank cars, including the provisions relating to gauging, filling, and labeling.

(b) *Data respecting carrier.* The name of the carrier (licensed carrier, consignor or consignee), the state license tag number of the tank truck, the driver's name, the driver's permit number, and the name of the state issuing such permit will be recorded by the storekeeper-gauger or the proprietor of the plant, as the case may be, on the applicable Form 1520 or 1440, and on Form 1439, 1453, or 1473, as the case may be. An extra copy of Form 1473 will be prepared for use as provided in § 171.43. (Secs. 3108 (a), 3124 (a) (6), 3176, I.R.C., Act of January 24, 1942)

§171.43 *Shipment.* Tank trucks used for transporting the distilled spirits, alcohol, and specially denatured alcohol, after filling, shall be sealed by the storekeeper-gauger at the consignor's premises in such manner as will secure all openings affording access to the tank. Serially-numbered cap seals furnished by the Government will be used for this purpose. The number of the cap seal will be recorded on Form 1520, 1440, or 1468D, and on Form 1439, 1453, or 1473, as the case may be. The storekeeper-gauger will place the Form 1439, 1453, or 1473, as the case may be, in a sealed envelope addressed to the consignee, and give the same to the driver of the tank truck for delivery to the consignee. On receipt at the consignee's premises, the consignee will receipt for the shipment, verify the information shown on Form 1439, 1453, or 1473, and note on such form any discrepancies relative to the shipment. The Form 1439, 1453, or 1473 will be forwarded by the consignee immediately to the District Supervisor of the district in which the consignor is located. (Secs. 3108 (a), 3124 (a) (6), 3176, I.R.C., Act of January 24, 1942)

§ 171.44 *Action by District Supervisor.* The District Supervisor will check the forms daily against the Form 1520 or 1440, and, in the case of specially denatured alcohol, Form 1473, and make any inquiry which he deems necessary with respect to any discrepancy. In the event of failure to receive Form 1439, 1453, or 1473 from the consignee within the time normally required for the truck to make the shipment and the form to be sent by mail, the District Supervisor will also make an appropriate investigation. (Secs. 3108 (a), 3124 (a) (6), 3176, I.R.C., Act of January 24, 1942)

§ 171.45 *Accounting.* The distilled spirits, alcohol, and specially denatured alcohol shipped, transported, and received under these regulations will be accounted for in accordance with the applicable provisions of Regulations 3, 4, 5, and 10, and Treasury Decision 5111, relating to shipments by tank cars. (Secs. 3108 (a), 3124 (a) (6), 3176, I.R.C., Act of January 24, 1942)

§ 171.46 *Termination of regulations.* The regulations in this part shall cease to be effective upon the termination of the unlimited national emergency proclaimed by the President on May 27, 1941. (Secs. 3108 (a), 3124 (a) (6), 3176, I.R.C., Act of January 24, 1942)

[SEAL] NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved: February 26, 1942.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 42–1812; Filed, March 2, 1942; 3:41 p. m.]

TITLE 32—NATIONAL DEFENSE

CHAPTER IX—WAR PRODUCTION BOARD

SUBCHAPTER A—GENERAL PROVISIONS

PART 903—DELEGATIONS OF AUTHORITY

Supplementary Directive No. 1C—Amendment of Delegation With Respect to Rationing of Commercial Vehicles

§ 903.4 *Supplementary Directive No. 1C.* (a) Notwithstanding the provisions of § 903.1, Directive No. 1,[1] all authority with respect to the exercise of rationing control over commercial vehicles shall remain in the Chairman of the War Production Board, and in the Director of Industry Operations to the extent that the authority of said Chairman has been delegated to the said Director by War Production Board Regulation No. 1, issued January 26, 1942.

(b) As used in this Supplementary Directive the term "commercial vehicles" means any light, medium or heavy trucks, truck tractors or trailers propelled or drawn by mechanical power for use on the highways for transportation of property or persons. (E.O. 9024, Jan. 16, 1942, 7 F.R. 329, E.O. 9040, Jan. 24, 1942, 7 F.R. 567; Sec. 2 (a), Pub. Law 671, 76th Cong., 3d Sess., as amended by Pub. Law, 89, 77th Cong., 1st Sess.; W.P.B. Dir. No. 1, Jan. 24, 1942, 7 F.R. 562)

Issued this 28th day of February 1942.

DONALD M. NELSON,
Chairman, War Production Board.

[F. R. Doc. 42–1867; Filed, March 3, 1942; 11:45 a. m.]

SUBCHAPTER B—DIVISION OF INDUSTRY OPERATIONS

PART 937—ZINC

Supplementary Order No. M–11–i

§ 937.10 *Supplementary Order M–11–i.* (a) The Director of Industry Operations hereby determines that the amount of Metallic Zinc, Zinc Oxide and Zinc Dust to be set aside by Producers under paragraph (c) of § 937.1 as extended, for the month of March, 1942, and for each month thereafter until otherwise determined by him, shall be as follows:

[1] 7 F.R. 562.

(1) Metallic Zinc: An amount equal to 50% of Producer's December 1941 production of High Grade and/or Special High Grade Zinc, and 40% of Producer's December 1941 production of all other grades of Zinc.

(2) Zinc Oxide: An amount equal to 20% of Producer's December 1941 production of Lead Free Zinc Oxide (American and French Processes) and 10% of Producer's December 1941 production of Leaded Zinc Oxide (American Process).

(3) Zinc Dust—None.

(b) This Order shall take effect on the 1st day of March, 1942. (P.D. Reg. 1, amended Dec. 23, 1941, 6 F.R. 6680; W.P.B. Reg. 1, Jan. 26, 1942, 7 F.R. 561, E.O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; sec. 2 (a), Pub. Law 671, 76th Cong., 3d Sess., as amended by Pub. Law 89, 77th Cong., 1st Sess.)

Issued this 28th day of February 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-1868; Filed, March 3, 1942; 11:45 a. m.]

PART 989—DOMESTIC MECHANICAL REFRIGERATORS

Amendment No. 1 to General Limitation Order L-5

Subparagraph (a) (1) of § 989.1 (*General Limitation Order L-5* [1]) is hereby amended to read as follows:

(1) "Domestic mechanical refrigerator" means any refrigerator for household use which operates either by compression or absorption and which has a net capacity (N.E.M.A. rating) of sixteen cubic feet or less. (P.D. Reg. 1, amended December 23, 1941, 6 F.R. 6680; W.P.B. Reg. 1, Jan. 26, 1942, 7 F.R. 561, E.O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; sec. 2 (a), Pub. Law 671, 76th Cong., 3d Sess., as amended by Pub. Law 89, 77th Cong., 1st Sess.)

This amendment shall take effect immediately. Issued this 3d day of March 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-1870; Filed, March 3, 1942; 11:47 a. m.]

PART 989—DOMESTIC MECHANICAL REFRIGERATORS

Amendment No. 1 to Supplementary General Limitation Order L-5-b [2]

Paragraph (a) of § 989.3 (*Supplementary General Limitation Order L-5-b*) is hereby amended by adding thereto subparagraph (4) to read as follows:

(4) Any New Domestic Mechanical Refrigerators may be sold, leased, traded, delivered, shipped or transferred by any person to the Army or Navy of the United States, or the United States Maritime Commission; *Provided* That such person files with the War Production Board on or before the 10th day of each calendar month a list of all such refrigerators by size and type which he delivered, shipped and transferred pursuant to this subparagraph during the preceding calendar month. (P.D. Reg 1, amended December 23, 1941, 6 F.R. 6680; W.P.B. Reg. 1, Jan. 26, 1942, 7 F.R. 561, E.O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; sec. 2 (a), Pub. Law 671, 76th Cong., 3d Sess., as amended by Pub. Law 89, 77th Cong., 1st Sess.)

This amendment shall take effect immediately.

Issued this 2d day of March 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-1837; Filed, March 2, 1942; 5:20 p. m.]

PART 1055—WOOL

General Conservation Order M-73-a to Conserve the Supply of Wool Cloth Entering Into the Production of Men's and Boys' Clothing

Whereas it appears that the fulfillment of requirements for the defense of the United States will result in a shortage in the supply of wool for the combined needs of defense, private account and export, and it is necessary, in the public interest and to promote the defense of the United States, to conserve the supply of wool cloth entering into the production of men's and boys' clothing:

Now, therefore, it is hereby ordered, That:

§ 1055.2 *General Conservation Order M-73-a*—(a) *Applicability of Priorities Regulation No. 1.* This Order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this Order shall govern.

(b) *Additional definitions.* (1) "Wool Cloth" means any cloth containing new wool, reprocessed wool or reused wool.

(2) "Put into process" means the first cutting operation of the wool cloth in the manufacture of Men's or Boys' clothing by any Person, including tailors-to-the-trade and merchant tailors.

(3) "Men's" means clothing graded as men's, young men's, students', or all that does not normally grade from size 14.

(4) "Boys'" shall mean all clothing normally graded from size 14.

(5) Measurements—Whenever particular measurements are set forth in this Order, such shall refer to finished measurements after all manufacturing operations have been completed and the garment is ready for shipment.

(c) *Restrictions on use of wool cloth in the manufacture of men's and boys' clothing*—(1) *Curtailments on use of wool cloth in the manufacture of suits.* No person shall put into process or cause to be put into process by others for his account any wool cloth for the manufacture of:

(i) A second pair of trousers for any suit, whether two or three pieces, of the same or matching material,

(ii) A vest for a double-breasted suit of the same or matching material,

(iii) A sack coat exceeding the following lengths:

(*a*) Men's—29¾ inches for a size 37 Regular with other sizes and variations in normal proportion.

(*b*) Boys'—24¾ inches for a size 14 with other sizes in normal proportion.

(iv) A sack coat with outside patch pockets or inside patch pockets of wool cloth.

(v) A sack coat with a vent, a belted back or any other type of fancy back with pleats, tucks, bellows, gussets, or yokes,

(vi) A pair of trousers exceeding a maximum width of 22 inches at the knee and 18½ inches at the bottom for a pair of trousers size 32 in. waist Regular with other sizes and variations in normal proportion,

(vii) A pair of trousers with inseam measurement exceeding

(*a*) Men's—35 inches (including the turn-up) for a pair of trousers size 32 in. waist Regular with other sizes and variations in normal proportion,

(*b*) Boys'—30½ inches (including turn-up) for a size 14 with other sizes in normal proportion.

(viii) A pleated, tucked, or continuous waistband pair of trousers,

(ix) A trouser belt,

(x) A pair of trousers with patch pockets,

(xi) A vest with patch pockets, collar, lapels, or of a double-breasted style.

(2) *Curtailments on finishing trousers.* No person shall finish a pair of trousers made of wool cloth with cuffs or cause such to be finished with cuffs by others for his account.

(3) *Curtailments on the use of wool cloth in the manufacture of topcoats and overcoats.* No person shall put into process or cause to be put into process by others for his account any wool cloth for the manufacture of:

(i) (*a*) A man's single-breasted topcoat or overcoat exceeding 43¼ inches in length and 56 inches in sweep for a size 37 Regular with other sizes and variations in normal proportion,

(*b*) A boy's single-breasted topcoat or overcoat exceeding 37¼ inches in length and 48 inches in sweep for a size 14 with other sizes in normal proportion,

(ii) (*a*) A man's double-breasted topcoat or overcoat exceeding 44¼ inches in length and 62 inches in sweep for a

[1] 6 F.R. 5008.
[2] 7 F.R. 1063, 1493.

size 37 Regular with other sizes and variations in normal proportion,

(b) A boy's double-breasted topcoat or overcoat exceeding 37¼ inches in length and 53 inches in sweep for a size 14 with other sizes in normal proportion,

(iii) A topcoat or overcoat with inside or outside patch pockets of wool cloth, any type of cuffs on the sleeves, a belt, pleats, or any type of fancy back,

(iv) A topcoat or overcoat with a lining cloth containing new wool,

(v) A reversible coat made of wool cloth on more than one side.

(4) *Curtailments on reference swatches and selling samples.* No person shall cut or cause to be cut by others for his account a selling sample containing over 54 square inches of wool cloth or a reference swatch containing over 6 square inches of wool cloth.

(5) *Curtailments on the manufacture of full-dress coats, cutaway coats, or double-breasted tuxedo coats.* No person shall hereafter put into process or cause to be put into process by others for his account any wool cloth in the manufacture of a full-dress coat, a cutaway coat, or a double-breasted tuxedo coat.

(d) *Exclusions from this Order.* The provisions and terms of this Order shall not apply to the cutting or manufacturing of garments on Defense Orders or uniforms for any of the following:

(1) U. S. Army Officers.

(2) U. S. Navy Officers and Chief Petty Officers.

(3) U. S. Marine Corps Officers.

(4) U. S. Coast Guard Officers and Chief Petty Officers.

(5) U. S. Coast and Geodetic Officers.

(6) U. S. Government Military and Naval Academy and Training Schools Students.

(7) Maritime Commission Employees.

(e) *Appeal.* Any person affected by this Order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of wool cloth conserved, or that compliance with this Order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or telegram, Ref: M–73–a, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(f) *Violations.* Any person who wilfully violates any provision of this Order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this Order, may be prohibited from receiving further deliveries of any material subject to allocation and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35(A) of the Criminal Code (18 U.S.C. 80).

(g) *Reports and communications.* All applications, statements, or other communications filed pursuant to this Order or concerning the subject matter hereof, shall be addressed to the War Production Board, Washington, D. C., Ref: M–73–a.

(h) *Effective date.* This Order shall take effect on March 30, 1942, as respects all persons except tailors-to-the-trade or merchant tailors, and shall take effect upon them on May 30, 1942. (P.D. Reg. 1, amended December 23, 1941; 6 F.R. 6680; W.P.B. Reg. 1, Jan. 26, 1942, 7 F.R. 561, E.O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; sec. 2 (a), Public No. 671, 76th Congress, Third Session, as amended by Public No. 89, 77th Congress, First Session)

Issued this 2d day of March 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–1838; Filed, March 2, 1942; 5:21 p. m.]

PART 1094—COTTON DUCK

General Preference Order M–91 To Conserve the Supply and Direct the Distribution of Cotton Duck

Whereas the national defense requirements have created a shortage of cotton duck, as hereinafter defined, for defense, for private account, and for export, and it is necessary, in the public interest and to promote the defense of the United States, to conserve the supply and direct the distribution thereof;

Now, therefore, it is hereby ordered, That:

§ 1094.1 *General Preference Order M–91*—(a) *Applicability of Priorities Regulation No. 1.* This Order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this Order shall govern.

(b) *Additional definitions.* For the purposes of this Order:

(1) "Cotton Duck" shall mean any cotton fabric in duck constructions in the greige, dyed, or proofed state, of widths from 15 inches to 87 inches, both inclusive, and in weights from 7¾ ounces to 29 inches to 30 ounces to a square yard, both inclusive, constructed with single or plied warp yarns and single or plied filling yarns, commonly designated as:

(i) Army Duck (including Shelter Tent Duck and Woven Awning Stripe Duck);

(ii) Numbered (Wide or Sail) Duck;

(iii) Narrow or Naught Duck;

(iv) Hose or Belting Duck;

(v) Shoe Duck;

(vi) Harvester Duck;

(vii) Filter Duck (including plied yarn filter twills);

(viii) Single or Double-Filling Duck;

(ix) Ounce Duck; or

(x) Chafer Duck (Chafer Fabric) single or plied yarns.

(c) *Restrictions on purchases and sales of cotton duck.* Except as provided in paragraph (f), no Person, unless specifically authorized by the Director of Industry Operations, shall hereafter purchase or sell any cotton duck, except

(1) upon contracts carrying preference ratings of better than A–2; or

(2) upon contracts (including blanket or requirement contracts) existing on January 15, 1942, but only to the extent of making deliveries prior to March 1, 1942:

Provided, however, That after March 1, 1942, such preference ratings of better than A–2 shall include only those evidenced by a preference rating certificate issued by the Director of Industry Operations (or his predecessor, the Director of Priorities) or under his authority by the Army or Navy of the United States, directly to and naming the person requesting such sales (not including a certificate issued to and naming some other person who is to be supplied by the person requesting such sale or an order rated under any General Preference Order), for the specific purpose of rating deliveries of cotton duck.

(d) *Restrictions on deliveries of cotton duck after March 1, 1942.* Except as provided in paragraph (f), no Person, unless specifically authorized by the Director of Industry Operations, shall, on or after March 1, 1942, deliver or accept delivery of any cotton duck, except to fill any defense order carrying a preference rating higher than A–2, evidenced by a preference rating certificate issued by the Director of Industry Operations (or his predecessor, the Director of Priorities) or under his authority by the Army or Navy of the United States, directly to and naming the person requesting such deliveries (not including a certificate issued to and naming some other person who is to be supplied by the person requesting such sale or an order rated under any General Preference Order), for the specific purpose of rating deliveries of cotton duck: *Provided, however,* That no deliveries shall be made under any such certificates unless the person to whom such delivery is to be made shall file with his supplier a certificate in substantially the following form:

The cotton duck to be delivered under Preference Rating Certificate No. ——— is not to be used to replace inventory, but is required for use immediately in filling a purchase order bearing an equal or better preference rating.

———
Name of person

By———
Authorized signer

(e) *Restrictions on the use of cotton duck.* Except as provided in paragraph (f), no Person, unless specifically authorized by the Director of Industry Operations, shall, on or after March 1, 1942, use any cotton duck in the manufacture of any article in which cotton duck, either with or without further processing, is physically incorporated, except when such cotton duck has been rejected as unfit for use by both the Army and the

Navy of the United States, or except upon orders carrying preference ratings higher than A–2, evidenced by a preference rating certificate issued by the Director of Industry Operations (or his predecessor, the Director of Priorities) or under his authority by the Army or Navy of the United States, directly to and naming the person requesting delivery (not including a certificate issued to and naming some other person who is to be supplied by the person requesting such sale or an order rated under any General Preference Order), for the specific purpose of rating deliveries of cotton duck: *Provided, however,* That cotton duck cut in lengths of 10 yards or less on the effective date of this Order may be used without restriction hereunder.

(f) *Exceptions for certain cotton ducks*—(1) *Prior to April 1, 1942.* Notwithstanding the provisions of paragraphs (c), (d), and (e), and to the extent that deliveries under preference rated orders carrying higher ratings are not thereby delayed or postponed, deliveries of the following types of cotton duck may continue to be made until March 31, 1942, upon contracts, including blanket or requirement contracts existing on January 15, 1942, to the extent that such deliveries have already been scheduled for shipment on or before March 31, 1942:

(i) Hose or Belting Duck
(ii) Filter Duck and Filter Twill
(iii) Apron Duck
(iv) Harvester Duck
(v) Single and Plied Yarn Chafer Fabrics
(vi) Enameling Duck
(vii) Single or Double Filling Duck or Ounce Duck weighing 8 ounces to 29 inches and lighter.

(2) *Exception for cotton duck in lengths of 10 yards or less.* Nothing in this Order contained shall restrict the sale or use of pieces of cotton duck in lengths of 10 yards or less produced in the ordinary course of the manufacture of cotton duck or cotton duck products as permitted hereunder.

(g) *Restrictions on the manufacture and delivery of certain cotton duck products.* (1) After March 31, 1942, notwithstanding anything in Priorities Regulation No. 1 or anything in any preference rating certificate or General Preference or other Order, now or hereafter issued, unless specifically issued for the purpose of modifying this paragraph, manufacturers of cotton duck of constructions suitable for manufacture into articles of the types set forth on Schedule "A" hereof shall set aside such production as may be specifically designated for the purpose by the Director of Industry Operations for sale to Persons engaged in the production of articles listed on the said Schedule "A". The production so designated shall be the production of looms of a specified number operated at maximum productive capacity for such period or periods as may be specified by the Director of Industry Operations, regardless of § 944.14 of the said Priorities Regulation No. 1.

(2) Unless specifically authorized by the Director of Industry Operations, no Person engaged in the manufacture of any of the articles of the types set forth on Schedule "A" shall accept delivery from the production of looms specifically designated by the Director of Industry Operations, pursuant to paragraph (g) (1) hereof, in any calendar month, of an amount of cotton duck in excess of 1/12 of the number of pounds or yards, whichever is the standard unit of purchase, of cotton duck which such person withdrew from inventory and put into process for the manufacture of articles of the types set forth on Schedule "A" in the calendar year 1941: *Provided, however,* That no such person shall accept delivery of any cotton duck of a particular construction from the said designated production when such Person's inventory of such construction of duck is in excess of 1/12 of the amount thereof or its equivalent put into process by such Person in the calendar year 1941.

(3) No manufacturer of cotton duck of constructions suitable for manufacture into articles of the types set forth in Schedule "A" shall deliver any cotton duck from the said designated production to any Person engaged in the manufacture of any of the said articles, unless and until such manufacturer shall have first received from such Person a certificate, signed by such Person or on his behalf by an individual authorized to sign for such Person, in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board that the undersigned requires the amount of cotton duck from the production designated by the Director of Industry Operations, covered by the undersigned's purchase order No. _____ for delivery in the calendar month of _____ for manufacture into one or more of the types of articles listed on Schedule "A" of General Preference Order M–91; that the undersigned will not use the said cotton duck in the manufacture of any type of article in which its use is prohibited by the provisions of said Schedule "A"; that the undersigned will not receive delivery from all sources of supply in the same calendar month of an amount of cotton duck from the production designated under paragraph (g) (1) of General Preference Order M–91, in excess of 1/12 of the amount of cotton duck of the same or equivalent constructions put into process by the undersigned in the calendar year 1941, except upon orders accompanied by preference rating certificates having ratings better than A–2 as provided in General Preference Order M–91; and that the undersigned's inventory of cotton duck of the particular constructions covered by the said purchase order is not in excess of 1/12 of the amount thereof put into process by the undersigned in the calendar year 1941.

_____
Name of person
By: _____
Authorized individual
Date: _____

(4) No Person engaged in the manufacture of articles of the types set forth on Schedule "A" herein shall use in the manufacture of any of the articles listed on the said Schedule "A" any particular construction of cotton duck in the manufacture of any particular article in which the use of the said construction is prohibited by the terms of the said Schedule "A".

(5) On or after April 1, 1942, no Person engaged in the manufacture of any of the articles of the types set forth on Schedule "A", unless specifically authorized by the Director of Industry Operations, shall deliver any cotton duck product to any Person, and no Person shall, on or after April 1, 1942, unless specifically authorized by the Director of Industry Operations, accept delivery of any article of the type set forth on Schedule "A", unless and until the Person who is to receive delivery of such article shall have first filed with his vendor a certificate signed by such Person or on behalf of such Person by an individual authorized to sign for such Person, in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board that the undersigned is engaged in the _____ industry; the undersigned requires delivery of the product listed on purchase order No. _____ in the month of _____ for actual use by the undersigned within sixty days from the receipt thereof by the undersigned; that his estimate of the time within which he will put the said articles into actual use is based upon the actual experience of the undersigned in the calendar years 1940 and 1941; and the undersigned further certifies that to the knowledge of the responsible officials and technicians of the undersigned there is no substitute not made from cotton duck obtainable for such actual use.

_____
Name of person
By _____
Authorized individual
Date: _____

Any Person accepting delivery of any article of the type set forth on Schedule "A" and intending to resell the same, either in the form in which he received it or incorporated in any other product, shall, in the certificate to be filed with his vendor as provided above in this subparagraph, substitute the words "for resale" in the place of the words "for actual use" and the words "resell the said articles" in place of the words "put the said articles into actual use." No such Person shall resell any such cotton duck products except to a Person filing with him a proper certificate in the form specified above. Any manufacturer filing the certificate required by this subparagraph shall fill in the blank appearing in the certificate form immediately before the word "industry" by specifying the principal products he produces by the use of the cotton duck products to be delivered to him by his vendor.

(6) Any Person with whom any certificate is filed pursuant to this Order is entitled to rely upon the facts stated in any such certificate in the absence of knowledge or reason to have knowledge that the facts stated in such certificates are incomplete, misleading, or untrue.

(h) *Control of stocks of cotton duck and certain cotton duck products.* Control is hereby taken of the distribution and use of the cotton duck products listed on Schedule "A" and of cotton duck. Any cotton duck or any such cotton duck product at any time hereafter

in the inventory of any Person shall be sold and delivered by such Person if and as specifically directed in any Order of the Director of Industry Operations, which may be issued whenever the Director of Industry Operations shall determine that a shortage of such cotton duck or such cotton duck product for defense, for private account, and for export, exists and that it is necessary or appropriate so to allocate such cotton duck or such cotton duck product in the public interest, or to promote the national defense, by so directing its sale and delivery by such Person. Any such sale shall be made at the established prices and terms of sale and payment therefor. No Person shall dispose of or use any cotton duck or cotton duck product which is the subject of such an Order in any manner inconsistent with the terms of any such Order.

(i) *Other allocations of cotton duck.* Applications for specific authority to purchase, accept delivery of, or use cotton duck or any cotton duck product otherwise than as permitted by paragraphs (c), (d), (e), (f), and (g), may be made to the Director of Industry Operations by the Person desiring to use such cotton duck or such cotton duck product on Form PD-329, or such other form or forms as may be prescribed as appropriate for particular applications. Any such application shall, among other things, set forth a statement of the technical necessity for the use of cotton duck in the manner and to the extent that application therefor is made. Such application shall also summarize the efforts made by the Applicant to use substitutes, and shall contain a statement of the reasons why the Applicant contends that the use of cotton duck in the manner and the extent that application therefor is made will promote the national defense or will be in the public interest. The Director of Industry Operations will allocate cotton duck to such Applicant in the manner and to the extent that he determines to be in the public interest or to promote national defense. Such allocations of cotton duck shall take precedence over any preference rated orders.

(j) *Appeals.* Any Person affected by this Order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of cotton duck conserved, or that compliance with this Order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board, Reference M-91, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(k) *Reports.* On or before the 15th day of March, 1942, and on or before the 15th day of each calendar month thereafter, each Person with whom one or more certificates have been filed pursuant to subparagraph (g) (5) hereof shall file with the War Production Board a tabulation showing the number and kind of cotton duck products delivered by him during the calendar month immediately preceding to each type of industry specified in each such certificate filed with him. All Persons affected by this Order shall execute and file with the War Production Board such other reports and questionnaires as may be required by said Board from time to time.

(l) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this Order, shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Reference M-91.

(m) *Records.* All Persons affected by this Order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(n) *Modification of telegraphic orders.* The telegraphic orders issued January 15, 30, February 9, and 19, 1942, are hereby amended, as of the date of the issuance of this Order, in accordance with the terms of this Order. Purchase orders with preference ratings made subject to review under the telegram of January 30, 1942, which, however, comply with the provisions of paragraph (d) hereof, may be filled without further review.

(o) *Violations.* Any Person who wilfully violates any provision of this Order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this Order, may be prohibited from receiving further deliveries of any Material subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U. S. C. 80).

(p) *Effective date.* This Order shall take effect immediately. (P.D. Reg. 1, amended Dec. 23, 1941, 6 F.R. 6680; W.P.B. Reg. 1, Jan. 26, 1942, 7 F.R. 561, E.O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; sec. 2 (a), Public No. 671, 76th Cong., 3d sess., as amended by Pub. No. 89, 77th Cong., 1st Sess.)

Issued this 28th day of February 1942.

J. S. KNOWLSON,
Director of Industry Operations.

SCHEDULE A

Part I—Hose Manufactured from Hose Duck

A. Air Drill (2" size and over, only)
Butane and Propane
Cement Gun (1½" size and over, only)
Flexible Pipe (3" size and over, only)
Grouting, Hydraulic, Jetting
Lubrication, high pressure (1" and over, only)
Pneumatic (2" size and over, only)
Railroad (Car and Engine Equipment)
Air Brake
Air Signal
Railroad (Shop and Maintenance)
Air or Pneumatic (2" size and over, only)
Steam (for uses involving pressure of 50 lbs. or more)
Rotary Drilling
Sand Blast (1¼" size and over, only)
Steam Hose (for uses involving pressures of 50 lbs. or more)
Suction (and/or discharge) — 3" sizes and over, only
Oil, and other petroleum products and molasses
Sand
Water
Water (3" size and over, only)

B. Acid
Air Drill (sizes under 2")
Beverage
Cement Gun (sizes under 1½")
Chemical
Creamery
Divers Air
Dredging Sleeves
Dust
Flexible Pipe (sizes under 3")
Lubrication, high pressure (sizes under 1")
Pneumatic (sizes under 2")
Radiator
Railroad (car and engine equipment)
Tender Tank
Railroad (Shop and Maintenance)
Air (sizes under 2") Steam (for working pressures less than 50 lbs.)
Water, Welding, and other essential types
Sand Blast (sizes under 1¼")
Spray (Industrial and Agricultural)
Steam (for working pressures less than 50 lbs.)
Suction (and/or discharge) (sizes under 3")
Oil, and other petroleum products and molasses
Sand
Water
Tank Wagon, oil and other petroleum products
Vacuum (Industrial)
Ventilating
Water (sizes under 3")
Welding

Provided, however, That no Hose in group B shall use any "Cotton Duck" weighing between 18 and 24 ounces, both inclusive, to 40-inch width.

Part II—Belting, Packing and Miscellaneous Rubber and Fabric Products Manufactured From Belting or Other Cotton Ducks

A. Belting
Conveyor (all types)
Elevator
Hog-Beater
Power Transmission, flat
Power Transmission, Vee Type, Industrial and Agricultural Machinery

B. Packings
Sheet, Strip, Rod, Coil and other mechanical packings

C. Miscellaneous Products
Band Saw Bands
Card Clothing
Chute and Tumbling Barrel Liners
Cleats and Bucket Pads
Draper and Feed Aprons
Drop Hammer Pads
Escalator Hand Rails
Granite Slings
Laundry Machine Tapes
Linoleum Forming Belts

Linemen's Straps
Loom and Harness Strapping
Polishing Belts
Printers and Lithographers Supplies
Pulley Lagging
Round Belts and Belting
Rut Aprons and Condenser Tapes
Screen Diaphragms
Street Sweepers Belts
Tank and Dam Seals

Provided, however, That no "Cotton Duck" product in this Part II shall be manufactured from any Duck weighing between 17 ounces and 26 ounces to 40-inch width.

Part III—"Cotton Duck" Products Produced From Numbered or Filter Duck and Filter Twills

Chemical Filters
Beet Sugar Industrial Filters
Oil and Wax Filters
Paint Filters
Dyestuff Filters
Filters Used in the Processing of Food Products
Mining Filters
Filters Used in the Processing of Ceramics

Part IV—Chafer Fabrics

Chafer Fabrics for Use in Automobile Tires

[F. R. Doc. 42-1836; Filed, March 2, 1942; 5:20 p. m.]

PART 1117—GAS MASKS

General Limitation Order L-57 to Restrict the Production of Unapproved Gas Masks and Anti-Gas Devices

Whereas, the fulfillment of requirements for the defense of the United States will result in a shortage in the supply of materials used in the manufacture of Gas Masks and Anti-Gas Devices, and the present supply of these materials will be insufficient for defense and essential civilian requirements unless steps are taken to prevent waste by curtailing the manufacture and distribution of Unapproved Gas Masks and Unapproved Anti-Gas Devices for civilian sale and use.

Now, therefore, it is hereby ordered, That:

§ 1117.1 *General Limitation Order L-57*—(a) *Definitions.* For the purposes of this Order:

(1) "Gas Mask" means any mask, hood, shield, canister, or other device adapted, claimed or purported to be adapted for use by civilians for individual protection against enemy attack, or held or advertised for sale for such use.

(2) Any Gas Mask shall be presumed to be an "Unapproved Gas Mask" within the meaning of this Order unless it affirmatively appears:

(i) That it is manufactured according to specifications of the Chemical Warfare Service of the United States Army on actual order for use by military, naval, or air forces, or by the Office of Civilian Defense, or by any other agency of the United States Government, or for use by any foreign government, under a Defense Order as defined in Priorities Regulation No. 1 (Part 944) as amended from time to time, or to be supplied to Civilians by any of the foregoing; or

(ii) That it is manufactured according to specifications established and used in the manufacture of masks for fire-fighting, mining, industrial, scientific, or other like non-military uses, and is sold for such purposes, and is not claimed, purported, advertised to be or offered for sale as a Gas Mask for protection against enemy attack.

(3) "Anti-Gas Device" means any canister or other device adapted, claimed or purported to be adapted for use by civilians as a collective protector in buildings or shelters against enemy gas attack, or held or advertised for sale for such use.

(4) Any Anti-Gas Device shall be presumed to be an Unapproved Anti-Gas Device within the meaning of this Order unless the circumstances set forth in paragraph (a) (2) (i) affirmatively appear.

(5) "Put into Production" means to begin the assembly of component parts.

(6) "Material" means any commodity, equipment, accessory, part assembly, or product of any kind.

(b) *General restrictions.* From the effective date of this Order:

(1) No person shall manufacture, purchase, or sell an Unapproved Gas Mask or Unapproved Anti-Gas Device;

(2) No person shall receive delivery of any Laminated Cloth, Laminated Glass or Plastic Lenses, Metal Buckles or Buttons, Primary or Activated Charcoal, Rubber, Synthetic Rubber, Webbing or Duck to be physically incorporated in any Unapproved Gas Mask or Unapproved Anti-Gas Device.

(3) No person shall sell or deliver any Laminated Cloth, Laminated Glass or Plastic Lenses, Metal Buckles or Buttons, Primary or Activated Charcoal, Rubber, Synthetic Rubber, Webbing, or Duck to any person if he knows or has reason to believe that such Materials are to be used in the manufacture of any Unapproved Gas Masks or Unapproved Anti-Gas Devices, in violation of this Order, or any other and further Orders of the Director of Industry Operations.

(c) *Records.* All persons affected by this Order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(d) *Audit and inspection.* All records required to be kept by this Order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(e) *Reports.* Reports shall be made at such times, on such forms, and with respect to such matters as shall be prescribed by the War Production Board. Persons who have manufactured or sold any Unapproved Gas Masks or Unapproved Anti-Gas Devices since January 1, 1941 or who on the effective date of this Order had in their possession or under their control more than ten Unapproved Gas Masks or Unapproved Anti-Gas Devices shall forthwith report such fact (and the details thereof), in writing to said War Production Board, on Form PD-328.

(f) *Violations and false statements.* Any person who violates this Order, or who by any act or omission falsifies any records to be kept or information to be furnished pursuant to this Order, may be prohibited from receiving further deliveries of any Material subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35A of the Criminal Code (18 U.S.C. 80).

(g) *Application of Priorities Regulation No. 1.* This Order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision thereof may be inconsistent therewith, in which case the provisions of this Order shall govern.

(h) *Communications.* All reports to be filed, appeals and other communications concerning this Order shall be addressed to the: Fire Equipment Section, War Production Board, Washington, D. C., Reference: L-57.

(i) *Appeal.* (1) Any person having in his possession or under his control an Unapproved Gas Mask or Unapproved Anti-Gas Device manufactured or put into production before the date of this Order, who believes that such Mask or Device is or may be of value for defense, and who desires to complete or sell such mask or device for such purposes, may submit Form PD-328, and request of the War Production Board, in writing, permission to complete and sell such mask or device for such purposes. He shall submit such further information as the Board may require and shall make such Mask or Device available for tests and inspection as may be required. The Board may test and inspect such Mask or Device through the agency of the Chemical Warfare Service of the United States Army and may consult with the Office of Civilian Defense, and may issue such orders with respect to the completion or sale of such mask or device as in its opinion may be consistent with the requirements of defense.

(2) Any person affected by this Order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this Order would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief by addressing a letter to the War Production Board setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(j) *Effective date.* This Order shall take effect on the date of issuance. (P.D. Reg. 1, amended Dec. 23, 1941, 6 F.R. 6680; W.P.B. Reg. 1, Jan. 26, 1942,

7 F.R. 561, E.O. 9024, Jan. 16, 1942, 7 F.R. 329; E.O. 9040, Jan. 24, 1942, 7 F.R. 527; sec. 2 (a), Pub. Law 671, 76th Cong., 3d Sess., as amended by Pub. Law 89, 77th Cong., 1st Sess.)

Issued this 3d day of March 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-1869; Filed, March 3, 1942; 11:45 a. m.]

CHAPTER XI—OFFICE OF PRICE ADMINISTRATION

PART 1312—LUMBER AND LUMBER PRODUCTS

AMENDMENT NO. 1 TO REVISED PRICE SCHEDULE NO. 97 [1]—SOUTHERN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment has been prepared and is issued simultaneously herewith.[2]

Section 1312.307 (c) (2) is amended by adding the following new sentence at the end thereof and a new § 1312.308a is added:

§ 1312.307 *Definitions.*

* * * * *

(c) * * *

(2) * * * Any sawmill located within the southern hardwoods area, as herein defined, which processes lumber primarily from logs originating in the Appalachian hardwoods area shall, upon approval by the Office of Price Administration of an application by the operator of the mill, be classified within the Appalachian area.

§ 1312.308a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1312.307 (c) (2) and 1312.308a) to Revised Price Schedule No. 97 shall become effective March 3, 1942. (Pub. Law 421, 77th Cong., 2d Sess.)

Issued this 2d day of March 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1833; Filed, March 2, 1942; 4:03 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

ORDER NO. 1, UNDER PRICE SCHEDULE NO. 97 [1]—SOUTHERN HARDWOOD LUMBER

For the reasons set forth in an opinion, issued simultaneously herewith,[3] and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered that:

§ 1312.350 The Louisville, Kentucky, mill of the Wood Mosaic Company, Inc. and the Russell Springs, Kentucky, mill of the Wood Mosaic Company, Inc., are classified within the Appalachian Hardwoods area for the purposes of § 1312.307 (c) of Price Schedule No. 97 until such time as these mills cease processing lumber primarily from logs originating in the Appalachian area. (Pub. Law 421, 77th Cong. 2d Sess.)

This Order shall become effective March 3, 1942. Issued this 2d day of March, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1834; Filed, March 2, 1942; 4:04 p. m.]

[1] 7 F.R. 1388.

[2] The statement of considerations has been filed with the Division of the Federal Register.

[3] The opinion has been filed with the Division of the Federal Register.

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

AMENDMENT NO. 1 TO REVISED PRICE SCHEDULE NO. 85 [4]—NEW PASSENGER AUTOMOBILES

A statement of the considerations involved in the issuance of this amendment has been prepared and is issued simultaneously herewith.[2]

Sections 1360.52 (a), 1360.52 (a) (1), and 1360.52 (b) and two models of Ford make in § 1360.61 are amended to read as follows and a new paragraph (i) is added to § 1360.59 and a new § 1360.60a is added, as set forth below, and three new Chrysler models are added to § 1360.-61, as set forth below:

§ 1360.52 *Maximum retail price for new passenger automobiles.* * * *

(a) The manufacturers' list price at the factory for the automobile with standard equipment as of October 15, 1941, as shown for each make and model of automobile in § 1360.61, as amended.

(1) If the manufacturer has removed standard equipment from the automobile, the list price shall be reduced to the extent of the manufacturer's reduction therefor in the price of the automobile to the retail dealer; if the retail dealer has removed such equipment, the list price shall be reduced by 75% of the retail price of such equipment, purchased separately, as of October 15, 1941.

(b) An allowance for Federal excise taxes not to exceed the manufacturer's charge approximating and averaging same, which charge shall be filed with the Office of Price Administration within twenty days of the effective date of this amendment. This item shall not include taxes on any removed equipment.

* * * * *

§ 1360.59 *Definitions.*

* * * * *

(i) "Wholesale value" as used in § 1360.51 (b) means the manufacturer's allowance for such equipment to a retail dealer, but not less than the cost of such equipment to the manufacturer.

§ 1360.61 *Appendix A: List prices of new passenger automobiles.*

Make and model	*List price 1942 models*
* * * *	*
CHRYSLER	
* * * *	*
Model No. C-37:	
4-Door Sedan	$2,815.00
7-Passenger Sedan	2,915.00
Limousine	3,065.00
* * * *	*
FORD	
* * * *	*
Super Deluxe Six:	
* * * *	*
Convertible Coupe	1,080.00
* * * *	*
Super Deluxe Eight:	
* * * *	*
Convertible Coupe	1,090.00
* * * *	*

§ 1360.60a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1360.52 (a), (a) (1), (b), 1360.59 (i), 1360.60a, 1360.61) to Revised Price Schedule No. 85 shall become effective March 3, 1942. (Pub. Law 421, 77th Cong. 2nd Sess.)

Issued this 2d day of March 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1835; Filed, March 2, 1942; 4:56 p. m.]

[4] 7 F.R. 1364.

PART 1388—DEFENSE-RENTAL AREAS

SAN DIEGO—DESIGNATION OF THE SAN DIEGO DEFENSE-RENTAL AREA AND RENT DECLARATION RELATING TO THAT AREA

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that Act; and

In the judgment of the Administrator, defense activities have resulted in an increase in the rents for housing accommodations in the area described below inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Administrator, it is necessary and proper in order to effectuate the purposes of said Act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization and reduction of rents for defense-area housing accommodations within the defense-rental area described below;

Therefore, under the authority vested in the Administrator by said Act, this designation and rent declaration is issued.

§ 1388.1 *Designation.* The following area is designated by the Administrator as an area where defense activities have

resulted in an increase in the rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute a defense-rental area to be known as the "San Diego Defense-Rental Area":

In the State of California, in the County of San Diego the Judicial Townships of Encinitas, National, and San Diego in their entireties, and that part of the Judicial Township of El Cajon lying west of the Cleveland National Forest.*

*§§ 1388.1 to 1388.5, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong., 2nd Sess.

§ 1388.2 *Necessity.* The necessity for the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area is as follows:

The designated area is and has been the location of establishments of the armed forces of the United States and war production industries. The increase in employment reflecting the expansion of defense activities, the influx of production workers and their families, and of the families of military and naval personnel have resulted in an acute shortage of rental housing accommodations in the local market. The President has found that an acute shortage of housing exists or impends in the San Diego area under Public No. 849, 76th Congress, 3d session (Lanham Act); Public No. 9, 77th Congress, 1st Session; and Public No. 24, 77th Congress, 1st Session (Title VI, National Housing Act). He has also allocated funds to the Navy Department for the construction of housing units under Public No. 781, 76th Congress, 3d Session, upon certification by the Secretary of the Navy that such housing was important for purposes under his jurisdiction and necessary to the national defense program. San Diego has been placed on the list of Defense Housing Areas in which builders may secure priority ratings on critical materials for residential construction.

Surveys in the San Diego area have reported low vacancy ratios for rental housing accommodations, indicative of the abnormality of the local market. New construction in this area by private industry and by the Government has not been sufficient to restore a normal rental market for housing accommodations.

Defense activities have resulted in substantial and widespread increases in rents, affecting most of the rental housing accommodations in the San Diego area. Official governmental surveys of rental change conducted in this area have shown a marked upward movement in the general level of residential rents during the past two years. By reason of these substantial increases the rents prevailing in the San Diego area are not generally fair and equitable.*

§ 1388.3 *Recommendations.* It is the judgment of the Administrator that by April 1, 1941 defense activities already had resulted in increases in rents for housing accommodations within the designated area inconsistent with the purposes of the Act. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within such area on or about January 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date. The Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes, and other costs. It is the judgment of the Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the Act.

Recommendations with reference to the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area are as follows:

(a) Maximum rents for housing accommodations should be:

(1) For housing accommodations rented on January 1, 1941 the rent for such accommodations on that date.

(2) For housing accommodations not rented on January 1, 1941 but rented at any time within the six months ending on that date, the last rent prior to said date.

(3) For housing accommodations not rented on January 1, 1941 nor within the six months ending on that date, the first rent after that date, but in no event more than the rent generally prevailing in the San Diego Defense-Rental Area for comparable housing accommodations on January 1, 1941.

(b) Provision consistent with the purposes of the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of the maximum rent for the following classifications of housing accommodations, but in principle maximum rents for such housing accommodations should not be greater than the rent for comparable accommodations prevailing in the San Diego Defense-Rental Area on January 1, 1941:

(1) For housing accommodations completed and first rented after January 1, 1941, or changed after January 1, 1941 in any manner resulting in an increase or decrease in the number of units in such accommodations, or substantially altered by an improvement or deterioration subsequent to January 1, 1941.

(2) For housing accommodations owned by the United States or any agency thereof or by the State of California or any political subdivision thereof, or any agency of any of the foregoing.

(3) For substantial increase or decrease of services in connection with housing accommodations subsequent to January 1, 1941.

(4) In cases where the rent on January 1, 1941 was materially affected by the blood, personal or other special relationship between landlord and tenant or was determined by a written lease which had been in force for six months or more on said date and such rent was greater or less than the rent for comparable accommodations in the San Diego Defense-Rental Area on January 1, 1941.

(c) Appropriate provision should be made with respect to evictions, other actions relating to the recovery of possessions, and the modification of services; and appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.*

§ 1388.4 *Maximum rent regulation.* If within sixty days after the issuance of this declaration, rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by state or local regulation, or otherwise, in accordance with the foregoing recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.*

§ 1388.5 *Effective date.* This designation and rent declaration (§§ 1388.1 to 1388.5, inclusive) is effective March 2, 1942.*

Issued this 2d day of March 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1831; Filed, March 2, 1942; 4:19 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

WATERBURY—DESIGNATION OF THE WATERBURY DEFENSE-RENTAL AREA AND RENT DECLARATION RELATING TO THAT AREA

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulations or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that Act; and

In the judgment of the Administrator, defense activities have resulted in an increase in the rents for housing accommodations in the area described below inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Administrator, it is necessary and proper in order to

effectuate the purposes of said Act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization and reduction of rents for defense-area housing accommodations within the defense-rental area described below:

Therefore, under the authority vested in the Administrator by said Act, this designation and rent declaration is issued.

§ 1388.51 *Designation.* The following area is designated by the Administrator as an area where defense activities have resulted in an increase in the rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute a defense-rental area to be known as the "Waterbury Defense-Rental Area":

In the State of Connecticut, in the County of Litchfield the Towns of Plymouth, Thomaston, and Watertown; and in the County of New Haven the Towns of Beacon Falls, Cheshire, Middlebury, Naugatuck, Prospect, Waterbury, and Wolcott.*

*§§ 1388.51 to 1388.55, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong., 2d Sess.

§ 1388.52 *Necessity.* The necessity for the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area is as follows:

The designated area is and has been the location of war production industries. The increase in employment reflecting the expansion of defense activities and the influx of production workers and their families have resulted in an acute shortage of rental housing accommodations in the local market. The President has found that an acute shortage of housing exists or impends in the Waterbury area under Public No. 849, 76th Congress, 3d Session (Lanham Act) and Public No. 24, 77th Congress, 1st Session (Title VI, National Housing Act). Waterbury has been placed on the list of Defense Housing Areas in which builders may secure priority ratings on critical materials for residential construction.

Surveys in the Waterbury area have reported low vacancy ratios for rental housing accommodations, indicative of the abnormality of the local market. New construction in this area by private industry and by the Government has not been sufficient to restore a normal rental market for housing accommodations.

Defense activities have resulted in substantial and widespread increases in rents, affecting most of the rental housing accommodations in the Waterbury area. Official governmental surveys of rental change conducted in this area have shown a marked upward movement in the general level of residential rents during the past two years. By reason of these substantial increases the rents prevailing in the Waterbury area are not generally fair and equitable.*

§ 1388.53 *Recommendations.* The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the designated area on or about April 1, 1941. It is his judgment that prior to April 1, 1941, defense activities had not yet resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Act, but did result in such increases commencing on or about that date. The Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the Act.

Recommendations with reference to the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area are as follows:

(a) Maximum rents for housing accommodations should be:

(1) For housing accommodations rented on April 1, 1941 the rent for such accommodations on that date.

(2) For housing accommodations not rented on April 1, 1941 but rented at any time within the six months ending on that date, the last rent prior to said date.

(3) For housing accommodations not rented on April 1, 1941 nor within the six months ending on that date, the first rent after that date, but in no event more than the rent generally prevailing in the Waterbury Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(b) Provision consistent with the purposes of the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of the maximum rent for the following classifications of housing accommodations, but in principle maximum rents for such housing accommodations should not be greater than the rent for comparable accommodations prevailing in the Waterbury Defense-Rental Area on April 1, 1941:

(1) For housing accommodations completed and first rented after April 1, 1941, or changed after April 1, 1941 in any manner resulting in an increase or decrease in the number of units in such accommodations, or substantially altered by an improvement or deterioration subsequent to April 1, 1941.

(2) For housing accommodations owned by the United States or any agency thereof or by the State of Connecticut or any political subdivision thereof, or agency of any of the foregoing.

(3) For substantial increase or decrease of services in connection with housing accommodations subsequent to April 1, 1941.

(4) In cases where the rent on April 1, 1941 was materially affected by the blood, personal or other special relationship between landlord and tenant or was determined by a written lease which had been in force for six months or more on said date and such rent was greater or less than the rent for comparable accommodations in the Waterbury Defense-Rental Area on April 1, 1941.

(c) Appropriate provision should be made with respect to evictions, other actions relating to the recovery of possession, and the modification of services; and appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.*

§ 1388.54 *Maximum rent regulation.* If within sixty days after the issuance of this declaration, rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the foregoing recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.*

§ 1388.55 *Effective date.* This designation and rent declaration (§§ 1388.51 to 1388.55, inclusive) is effective March 2, 1942.*

Issued this 2nd day of March, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1829; Filed, March 2, 1942; 4:18 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

BIRMINGHAM—DESIGNATION OF THE BIRMINGHAM DEFENSE-RENTAL AREA AND RENT DECLARATION RELATING TO THAT AREA

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that Act; and

In the judgment of the Administrator, defense activities have resulted in an increase in the rents for housing accommodations in the area described below inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Administrator, is is necessary and proper in order to effectuate the purposes of said Act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization and

reduction of rents for defense-area housing accommodations within the defense-rental area described below;

Therefore, under the authority vested in the Administrator by said Act, this designation and rent declaration is issued.

§ 1388.101 *Designation.* The following area is designated by the Administrator as an area where defense activities have resulted in an increase in the rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute a defense-rental area to be known as the "Birmingham Defense-Rental Area":

In the State of Alabama, the County of Jefferson in its entirety.*

*§§ 1388.101 to 1388.105, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong., 2nd Sess.

§ 1388.102 *Necessity.* The necessity for the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area is as follows:

The designated area is and has been the location of war production industries. The increase in employment reflecting the expansion of defense activities and the influx of production workers and their families have resulted in an acute shortage of rental housing accommodations in the local market. The President has found that an acute shortage of housing exists or impends in the Birmingham area under Public No. 849, 76th Congress, 3d Session (Lanham Act), and Public No. 24, 77th Congress, 1st Session (Title VI, National Housing Act). Birmingham has been placed on the list of Defense Housing Areas in which builders may secure priority ratings on critical materials for residential construction.

Surveys in the Birmingham area have reported low vacancy ratios for rental housing accommodations, indicative of the abnormality of the local market. New construction in this area by private industry and by the Government has not been sufficient to restore a normal rental market for housing accommodations.

Defense activities have resulted in substantial and widespread increases in rents, affecting most of the rental housing accommodations in the Birmingham area. Official governmental surveys of rental change conducted in this area have shown a marked upward movement in the general level of residential rents during the past two years. By reason of these substantial increases the rents prevailing in the Birmingham area are not generally fair and equitable.*

§ 1388.103 *Recommendations.* The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the designated area on or about April 1, 1941. It is his judgment that prior to April 1, 1941, defense activities had not yet resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Act, but did result in such increases commencing on or about that date. The Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the Act.

Recommendations with reference to the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area are as follows:

(a) Maximum rents for housing accommodations should be:

(1) For housing accommodations rented on April 1, 1941 the rent for such accommodations on that date.

(2) For housing accommodations not rented on April 1, 1941 but rented at any time within the six months ending on that date, the last rent prior to said date.

(3) For housing accommodations not rented on April 1, 1941 nor within the six months ending on that date, the first rent after that date, but in no event more than the rent generally prevailing in the Birmingham Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(b) Provision consistent with the purposes of the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of the maximum rent for the following classifications of housing accommodations, but in principle maximum rents for such housing accommodations should not be greater than the rent for comparable accommodations prevailing in the Birmingham Defense-Rental Area on April 1, 1941:

(1) For housing accommodations completed and first rented after April 1, 1941, or changed after April 1, 1941 in any manner resulting in an increase or decrease in the number of units in such accommodations, or substantially altered by an improvement or deterioration subsequent to April 1, 1941.

(2) For housing accommodations owned by the United States or any agency thereof or by the State of Alabama or any political subdivision thereof, or agency of any of the foregoing.

(3) For substantial increase or decrease of services in connection with housing accommodations subsequent to April 1, 1941.

(4) In cases where the rent on April 1, 1941 was materially affected by the blood, personal or other special relationship between landlord and tenant or was determined by a written lease which had been in force for six months or more on said date and such rent was greater or less than the rent for comparable accommodations in the Birmingham Defense-Rental Area on April 1, 1941.

(c) Appropriate provision should be made with respect to evictions, other actions relating to the recovery of possession, and the modification of services; and appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.*

§ 1388.104 *Maximum rent regulation.* If within sixty days after the issuance of this declaration, rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by state or local regulation, or otherwise, in accordance with the foregoing recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.*

§ 1388.105 *Effective date.* This designation and rent declaration (§§ 1388.101 to 1388.105, inclusive) is effective March 2, 1942.*

Issued this 2nd day of March, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1816; Filed, March 2, 1942; 4:07 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

MOBILE—DESIGNATION OF THE MOBILE DEFENSE-RENTAL AREA AND RENT DECLARATION RELATING TO THAT AREA

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that Act; and

In the judgment of the Administrator, defense activities have resulted in an increase in the rents for housing accommodations in the area described below inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Administrator, it is necessary and proper in order to effectuate the purposes of said Act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization and reduction of rents for defense-area housing accommodations within the defense-rental area described below:

Therefore, under the authority vested in the Administrator by said Act, this designation and rent declaration is issued.

§ 1388.151 *Designation.* The following area is designated by the Administrator as an area where defense activ-

ities have resulted in an increase in the rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute a defense-rental area to be known as the "Mobile Defense-Rental Area":

In the State of Alabama, the County of Mobile in its entirety.*

*§§ 1388.151 to 1388.155, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong., 2nd Sess.

§ 1388.152 *Necessity.* The necessity for the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area is as follows:

The designated area is and has been the location of establishments of the armed forces of the United States and war production industries. The increase in employment reflecting the expansion of defense activities, the influx of production workers and their families, and of the families of military personnel have resulted in an acute shortage of rental housing accommodations in the local market. The President has found that an acute shortage of housing exists or impends in the Mobile area under Public No. 849, 76th Congress, 3d Session (Lanham Act), and Public No. 24, 77th Congress, 1st Session (Title VI, National Housing Act). Mobile has been placed on the list of Defense Housing Areas in which builders may secure priority ratings on critical materials for residential construction.

Surveys in the Mobile area have reported low vacancy ratios for rental housing accommodations, indicative of the abnormality of the local market. New construction in this area by private industry and by the Government has not been sufficient to restore a normal rental market for housing accommodations.

Defense activities have resulted in substantial and widespread increases in rents, affecting most of the rental housing accommodations in the Mobile area. Official governmental surveys of rental change conducted in this area have shown a marked upward movement in the general level of residential rents during the past two years. By reason of these substantial increases the rents prevailing in the Mobile area are not generally fair and equitable.*

§ 1388.153 *Recommendations.* The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the designated area on or about April 1, 1941. It is his judgment that prior to April 1, 1941, defense activities had not yet resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Act, but did result in such increases commencing on or about that date. The Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in propery taxes and other costs. It is the judgment of the Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the Act.

Recommendations with reference to the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area are as follows:

(a) Maximum rents for housing accommodations should be:

(1) For housing accommodations rented on April 1, 1941 the rent for such accommodations on that date.

(2) For housing accommodations not rented on April 1, 1941 but rented at any time within the six months ending on that date, the last rent prior to said date.

(3) For housing accommodations not rented on April 1, 1941 nor within the six months ending on that date, the first rent after that date, but in no event more than the rent generally prevailing in the Mobile Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(b) Provision consistent with the purposes of the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of the maximum rent for the following classifications of housing accommodations, but in principle maximum rents for such housing accommodations should not be greater than the rent for comparable accommodations prevailing in the Mobile Defense-Rental Area on April 1, 1941:

(1) For housing accommodations completed and first rented after April 1, 1941, or changed after April 1, 1941 in any manner resulting in an increase or decrease in the number of units in such accommodations, or substantially altered by an improvement or deterioration subsequent to April 1, 1941.

(2) For housing accommodations owned by the United States or any agency thereof or by the State of Alabama or any political subdivision thereof, or agency of any of the foregoing.

(3) For substantial increase or decrease of services in connection with housing accommodations subsequent to April 1, 1941.

(4) In cases where the rent on April 1, 1941 was materially affected by the blood, personal or other special relationship between landlord and tenant or was determined by a written lease which had been in force for six months or more on said date and such rent was greater or less than the rent for comparable accommodations in the Mobile Defense-Rental Area on April 1, 1941.

(c) Appropriate provision should be made with respect to evictions, other actions relating to the recovery of possession, and the modification of services; and appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.*

§ 1388.154 *Maximum rent regulation.* If within sixty days after the issuance of this declaration, rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by state or local regulation, or otherwise, in accordance with the foregoing recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.*

§ 1388.155 *Effective date.* This designation and rent declaration (§§ 1388.151 to 1388.155, inclusive) is effective March 2, 1942.*

Issued this 2d day of March 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1825; Filed, March 2, 1942; 4:15 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

BRIDGEPORT—DESIGNATION OF THE BRIDGEPORT DEFENSE-RENTAL AREA AND RENT DECLARATION RELATING TO THAT AREA

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that Act; and

In the judgment of the Administrator, defense activities have resulted in an increase in the rents for housing accommodations in the area described below inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Administrator, it is necessary and proper in order to effectuate the purposes of said Act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization and reduction of rents for defense-area housing accommodations within the defense-rental area described below;

Therefore, under the authority vested in the Administrator by said Act, this designation and rent declaration is issued.

§1388.201 *Designation.* The following area is designated by the Administrator as an area where defense activities have resulted in an increase in the rents

for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute a defense-rental area to be known as the "Bridgeport Defense-Rental Area":

In the State of Connecticut, in the County of Fairfield the Towns of Bridgeport, Easton, Fairfield, Shelton, Stratford, Trumbull, and Westport.*

*§§ 1388.201 to 1388.205, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong., 2d Sess.

§ 1388.202 *Necessity.* The necessity for the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area is as follows:

The designated area is and has been the location of war production industries. The increase in employment reflecting the expansion of defense activities and the influx of production workers and their families have resulted in an acute shortage of rental housing accommodations in the local market. The President has found that an acute shortage of housing exists or impends in the Bridgeport area under Public No. 849, 76th Congress, 3d Session (Lanham Act), and Public No. 24, 77th Congress, 1st Session (Title VI, National Housing Act). Bridgeport has been placed on the list of Defense Housing Areas in which builders may secure priority ratings on critical materials for residential construction.

Surveys in the Bridgeport area have reported low vacancy ratios for rental housing accommodations, indicative of the abnormality of the local market. New construction in this area by private industry and by the Government has not been sufficient to restore a normal rental market for housing accommodations.

Defense activities have resulted in substantial and widespread increases in rents, affecting most of the rental housing accommodations in the Bridgeport area. Official governmental surveys of rental change conducted in this area have shown a marked upward movement in the general level of residential rents during the past two years. By reason of these substantial increases the rents prevailing in the Bridgeport area are not generally fair and equitable.*

§ 1388.203 *Recommendations.* The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the designated area on or about April 1, 1941. It is his judgment that prior to April 1, 1941, defense activities had not yet resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Act, but did result in such increases commencing on or about that date. The Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the Act.

Recommendations with reference to the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area are as follows:

(a) Maximum rents for housing accommodations should be:

(1) For housing accommodations rented on April 1, 1941 the rent for such accommodations on that date.

(2) For housing accommodations not rented on April 1, 1941 but rented at any time within the six months ending on that date, the last rent prior to said date.

(3) For housing accommodations not rented on April 1, 1941 nor within the six months ending on that date, the first rent after that date, but in no event more than the rent generally prevailing in the Bridgeport Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(b) Provision consistent with the purposes of the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of the maximum rent for the following classifications of housing accommodations, but in principle maximum rents for such housing accommodations should not be greater than the rent for comparable accommodations prevailing in the Bridgeport Defense-Rental Area on April 1, 1941:

(1) For housing accommodations completed and first rented after April 1, 1941, or changed after April 1, 1941 in any manner resulting in an increase or decrease in the number of units in such accommodations, or substantially altered by an improvement or deterioration subsequent to April 1, 1941.

(2) For housing accommodations owned by the United States or any agency thereof or by the State of Connecticut or any political subdivision thereof, or agency of any of the foregoing.

(3) For substantial increase or decrease of services in connection with housing accommodations subsequent to April 1, 1941.

(4) In cases where the rent on April 1, 1941 was materially affected by the blood, personal or other special relationship between landlord and tenant or was determined by a written lease which had been in force for six months or more on said date and such rent was greater or less than the rent for comparable accommodations in the Bridgeport Defense-Rental Area on April 1, 1941.

(c) Appropriate provision should be made with respect to evictions, other actions relating to the recovery of possession, and the modification of services; and appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.*

§ 1388.204 *Maximum rent regulation.* If within sixty days after the issuance of this declaration, rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by state or local regulation, or otherwise, in accordance with the foregoing recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.*

§ 1388.205 *Effective date.* This designation and rent declaration (§§ 1388.201 to 1388.205, inclusive) is effective March 2, 1942.*

Issued this 2d day of March 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1815; Filed, March 2, 1942; 4:06 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

HARTFORD-NEW BRITAIN—DESIGNATION OF THE HARTFORD-NEW BRITAIN DEFENSE-RENTAL AREA AND RENT DECLARATION RELATING TO THAT AREA

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that Act; and

In the judgment of the Administrator, defense activities have resulted in an increase in the rents for housing accommodations in the area described below inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Administrator, it is necessary and proper in order to effectuate the purposes of said Act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization and reduction of rents for defense-area housing accommodations within the defense-rental area described below;

Therefore, under the authority vested in the Administrator by said Act, this designation and rent declaration is issued.

§ 1388.251 *Designation.* The following area is designated by the Administrator as an area where defense activities have resulted in an increase in the rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute a defense-rental area to be known as the "Hartford-New Britain Defense-Rental Area":

In the State of Connecticut, in the County of Hartford the Towns of Berlin, Bloomfield, Bristol, East Hartford, East Windsor, Farmington, Glastonbury, Hartford, Manchester, New Britain, Newington, Plainville, Rocky Hill, Southington, South Windsor, West Hartford, Wethersfield, Windsor, and Windsor Locks; in the County of Middlesex the Towns of Cromwell, Middlefield, Middletown, and Portland; in the County of New Haven the Towns of Meriden and Wallingford; and in the County of Tolland, the Town of Vernon.*

*§§ 1388.251 to 1388.255, inclusive, issued pursuant to Pub. No. 421, 77th Cong., 2nd Sess.

§ 1388.252 *Necessity.* The necessity for the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area is as follows:

The designated area is and has been the location of establishments of the armed forces of the United States and war production industries. The increase in employment reflecting the expansion of defense activities, the influx of production workers and their families, and of the families of military personnel have resulted in an acute shortage of rental housing accommodations in the local market. The President has found that an acute shortage of housing exists or impends in a number of localities in the Hartford-New Britain area under Public No. 671, 76th Congress, 3d Session; Public No. 849, 76th Congress, 3d Session (Lanham Act); Public No. 9, 77th Congress, 1st Session; and Public No. 24, 77th Congress, 1st Session (Title VI, National Housing Act). A number of localities in the Hartford-New Britain area have been placed on the list of Defense Housing Areas in which builders may secure priority ratings on critical materials for residential construction.

Surveys in the Hartford-New Britain area have reported low vacancy ratios for rental housing accommodations, indicative of the abnormality of the local market. New construction in this area by private industry and by the Government has not been sufficient to restore a normal rental market for housing accommodations.

Defense activities have resulted in substantial and widespread increases in rents, affecting most of the rental housing accommodations in the Hartford-New Britain area. Official governmental surveys of rental change conducted in this area have shown a marked upward movement in the general level of residential rents during the past two years. By reason of these substantial increases the rents prevailing in the Hartford-New Britain area are not generally fair and equitable.*

§ 1388.253 *Recommendations.* The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the designated area on or about April 1, 1941. It is his judgment that prior to April 1, 1941, defense activities had not yet resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Act, but did result in such increases commencing on or about that date. The Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the Act.

Recommendations with reference to the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area are as follows:

(a) Maximum rents for housing accommodations should be:

(1) For housing accommodations rented on April 1, 1941 the rent for such accommodations on that date.

(2) For housing accommodations not rented on April 1, 1941 but rented at any time within the six months ending on that date, the last rent prior to said date.

(3) For housing accommodations not rented on April 1, 1941 nor within the six months ending on that date, the first rent after that date, but in no event more than the rent generally prevailing in the Hartford-New Britain Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(b) Provisions consistent with the purposes of the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of the maximum rent for the following classifications of housing accommodations, but in principle maximum rents for such housing accommodations should not be greater than the rent for comparable accommodations prevailing in the Hartford-New Britain Defense-Rental Area on April 1, 1941:

(1) For housing accommodations completed and first rented after April 1, 1941, or changed after April 1, 1941 in any manner resulting in an increase or decrease in the number of units in such accommodations, or substantially altered by an improvement or deterioration subsequent to April 1, 1941.

(2) For housing accommodations owned by the United States or any agency thereof or by the State of Connecticut or any poltical subdivision thereof, or agency of any of the foregoing.

(3) For substantial increase or decrease of services in connection with housing accommodations subsequent to April 1, 1941.

(4) In cases where the rent on April 1, 1941 was materially affected by the blood, personal or other special relationship between landlord and tenant or was determined by a written lease which had been in force for six months or more on said date and such rent was greater or less than the rent for comparable accommodations in the Hartford-New Britain Defense-Rental Area on April 1, 1941.

(c) Appropriate provision should be made with respect to evictions, other actions relating to the recovery of possession, and the modification of services; and appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.*

§ 1388.254 *Maximum rent regulation.* If within sixty days after the issuance of this declaration, rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by state or local regulation, or otherwise, in accordance with the foregoing recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.*

§ 1388.255 *Effective date.* This designation and rent declaration (§§ 1388.251 to 1388.255, inclusive) is effective March 2, 1942.*

Issued this 2d day of March 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1823; Filed, March 2, 1942; 4:14 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

COLUMBUS—DESIGNATION OF THE COLUMBUS, GEORGIA, DEFENSE-RENTAL AREA AND RENT DECLARATION RELATING TO THAT AREA

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that Act; and

In the judgment of the Administrator, defense activities have resulted in an increase in the rents for housing accommodations in the area described below inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Administrator, it is necessary and proper in order to effectuate the purposes of said Act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization and reduc-

tion of rents for defense-area housing accommodations within the defense-rental area described below;

Therefore, under the authority vested in the Administrator by said Act, this designation and rent declaration is issued.

§ 1388.301 *Designation.* The following area is designated by the Administrator as an area where defense activities have resulted in an increase in the rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute a defense-rental area to be known as the "Columbus, Georgia Defense-Rental Area":

In the State of Georgia, the County of Muscogee in its entirety; and in the State of Alabama, in the County of Russell, Election Precinct One, including the City of Phenix City.*

*§§ 1388.301 to 1388.305, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong., 2nd Sess.

§ 1388.302 *Necessity.* The necessity for the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area is as follows:

The designated area is and has been the location of establishments of the armed forces of the United States. The increase in employment reflecting the expansion of defense activities and the influx of the families of military personnel have resulted in an acute shortage of rental housing accommodations in the local market. The President has found that an acute shortage of housing exists or impends in the Columbus area under Public No. 671, 76th Congress, 3d Session; Public No. 849, 76th Congress, 3d Session (Lanham Act); and Public No. 24, 77th Congress, 1st Session (Title VI, National Housing Act). Columbus has been placed on the list of Defense Housing Areas in which builders may secure priority ratings on critical materials for residential construction.

Surveys in the Columbus area have reported low vacancy ratios for rental housing accommodations, indicative of the abnormality of the local market. New construction in this area by private industry and by the Government has not been sufficient to restore a normal rental market for housing accommodations.

Defense activities have resulted in substantial and widespread increases in rents, affecting most of the rental housing accommodations in the Columbus area. Official governmental surveys of rental change conducted in this area have shown a marked upward movement in the general level of residential rents during the past two years. By reason of these substantial increases the rents prevailing in the Columbus area are not generally fair and equitable.*

§ 1388.303 *Recommendations.* It is the judgment of the Administrator that by April 1, 1941 defense activities already had resulted in increases in rents for housing accommodations within the designated area inconsistent with the purposes of the Act. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within such area on or about January 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date. The Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the Act.

Recommendations with reference to the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area are as follows:

(a) Maximum rents for housing accommodations should be:

(1) For housing accommodations rented on January 1, 1941 the rent for such accommodations on that date.

(2) For housing accommodations not rented on January 1, 1941 but rented at any time within the six months ending on that date, the last rent prior to said date.

(3) For housing accommodations not rented on January 1, 1941 nor within the six months ending on that date, the first rent after that date, but in no event more than the rent generally prevailing in the Columbus, Georgia Defense-Rental Area for comparable housing accommodations on January 1, 1941.

(b) Provision consistent with the purposes of the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of the maximum rent for the following classifications of housing accommodations, but in principle maximum rents for such housing accommodations should not be greater than the rent for comparable accommodations prevailing in the Columbus, Georgia Defense-Rental Area on January 1, 1941:

(1) For housing accommodations completed and first rented after January 1, 1941, or changed after January 1, 1941 in any manner resulting in an increase or decrease in the number of units in such accommodations, or substantially altered by an improvement or deterioration subsequent to January 1, 1941.

(2) For housing accommodations owned by the United States or any agency thereof or by the States of Georgia or Alabama, or any political subdivision thereof, or agency of any of the foregoing.

(3) For substantial increase or decrease of services in connection with housing accommodations subsequent to January 1, 1941.

(4) In cases where the rent on January 1, 1941 was materially affected by the blood, personal or other special relationship between landlord and tenant or was determined by a written lease which had been in force for six months or more on said date and such rent was greater or less than the rent for comparable accommodations in the Columbus, Georgia Defense-Rental Area on January 1, 1941.

(c) Appropriate provision should be made with respect to evictions, other actions relating to the recovery of possession, and the modification of services; and appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.*

§ 1388.304 *Maximum rent regulation.* If within sixty days after the issuance of this declaration, rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by state or local regulation, or otherwise, in accordance with the foregoing recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.*

§ 1388.305 *Effective date.* This designation and rent declaration (§§ 1388.301 to 1388.305, inclusive) is effective March 2, 1942.*

Issued this 2d day of March 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1821; Filed, March 2, 1942; 4:12 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

SOUTH BEND—DESIGNATION OF THE SOUTH BEND DEFENSE-RENTAL AREA AND RENT DECLARATION RELATING TO THAT AREA

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that Act; and

In the judgment of the Administrator, defense activities have resulted in an increase in the rents for housing accommodations in the area described below inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Administrator, it is necessary and proper in order to effectuate the purposes of said Act to

issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization and reduction of rents for defense-area housing accommodations within the defense-rental area described below;

Therefore, under the authority vested in the Administrator by said Act, this designation and rent declaration is issued.

§ 1388.351 *Designation.* The following area is designated by the Administrator as an area where defense activities have resulted in an increase in the rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute a defense-rental area to be known as the "South Bend Defense-Rental Area":

In the State of Indiana, the Counties of St. Joseph and Elkhart in their entireties.*

*§§ 1388.351 to 1388.355, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong., 2nd Sess.

§ 1388.352 *Necessity.* The necessity for the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area is as follows:

The designated area is and has been the location of war production industries. The increase in employment reflecting the expansion of defense activities and the influx of production workers and their families have resulted in an acute shortage of rental housing accommodations in the local market. The President has found that an acute shortage of housing exists or impends in the South Bend area under Public No. 849, 76th Congress, 3d Session (Lanham Act); and Public No. 24, 77th Congress, 1st Session (Title VI, National Housing Act). South Bend has been placed on the list of Defense Housing Areas in which builders may secure priority ratings on critical materials for residential construction.

Surveys in the South Bend area have reported low vacancy ratios for rental housing accommodations, indicative of the abnormality of the local market. New construction in this area by private industry and by the Government has not been sufficient to restore a normal rental market for housing accommodations.

Defense activities have resulted in substantial and widespread increases in rents, affecting most of the rental housing accommodations in the South Bend area. Official governmental surveys of rental change conducted in this area have shown a marked upward movement in the general level of residential rents during the past two years. By reason of these substantial increases the rents prevailing in the South Bend area are not generally fair and equitable.*

§ 1388.353 *Recommendations.* It is the judgment of the Administrator that by April 1, 1941 defense activities already had resulted in increases in rents for housing accommodations within the designated area inconsistent with the purposes of the Act. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within such area on or about January 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date. The Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the Act.

Recommendations with reference to the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area are as follows:

(a) Maximum rents for housing accommodations should be:

(1) For housing accommodations rented on January 1, 1941 the rent for such accommodations on that date.

(2) For housing accommodations not rented on January 1, 1941 but rented at any time within the six months ending on that date, the last rent prior to said date.

(3) For housing accommodations not rented on January 1, 1941 nor within the six months ending on that date, the first rent after that date, but in no event more than the rent generally prevailing in the South Bend Defense-Rental Area for comparable housing accommodations on January 1, 1941.

(b) Provision consistent with the purposes of the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of the maximum rent for the following classifications of housing accommodations, but in principle maximum rents for such housing accommodations should not be greater than the rent for comparable accommodations prevailing in the South Bend Defense-Rental Area on January 1, 1941:

(1) For housing accommodations completed and first rented after January 1, 1941, or changed after January 1, 1941 in any manner resulting in an increase or decrease in the number of units in such accommodations, or substantially altered by an improvement or deterioration subsequent to January 1, 1941.

(2) For housing accommodations owned by the United States or any agency thereof or by the State of Indiana or any political subdivision thereof, or any agency of any of the foregoing.

(3) For substantial increase or decrease of services in connection with housing accommodations subsequent to January 1, 1941.

(4) In cases where the rent on January 1, 1941 was materially affected by the blood, personal or other special relationship between landlord and tenant or was determined by a written lease which had been in force for six months or more on said date and such rent was greater or less than the rent for comparable accommodations in the South Bend Defense-Rental Area on January 1, 1941.

(c) Appropriate provision should be made with respect to evictions, other actions relating to the recovery of possession, and the modification of services; and appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.*

§ 1388.354 *Maximum rent regulation.* If within sixty days after the issuance of this declaration, rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by state or local regulation, or otherwise, in accordance with the foregoing recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.*

§ 1388.355 *Effective date.* This designation and rent declaration (§§ 1388.351 to 1388.355 inclusive) is effective March 2, 1942.*

Issued this 2d day of March 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1819; Filed, March 2, 1942; 4:09 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

BURLINGTON—DESIGNATION OF THE BURLINGTON DEFENSE-RENTAL AREA AND RENT DECLARATION RELATING TO THAT AREA

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that Act; and

In the judgment of the Administrator, defense activities have resulted in an increase in the rents for housing accommodations in the area described below inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Administrator, it is necessary and proper in order to effectuate the purposes of said Act to issue this declaration, setting forth the

necessity for, and recommendations with reference to, the stabilization and reduction of rents for defense-area housing accommodations within the defense-rental area described below;

Therefore, under the authority vested in the Administrator by said Act, this designation and rent declaration is issued.

§ 1388.401 *Designation.* The following area is designated by the Administrator as an area where defense activities have resulted in an increase in the rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute a defense-rental area to be known as the "Burlington Defense-Rental Area":

In the State of Iowa, in the County of Des Moines the Townships of Augusta, Burlington, Concordia, Danville, Flint River, Tama, and Union; in the County of Henry the Townships of Baltimore, Center, Mount Pleasant, and New London; and in the County of Lee the Townships of Denmark, Green Bay, Madison, and Washington.*

*§§ 1388.401 to 1388.405, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong., 2d Sess.

§ 1388.402 *Necessity.* The necessity for the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area is as follows:

The designated area is and has been the location of war production industries. The increase in employment reflecting the expansion of defense activities and the influx of production workers and their families have resulted in an acute shortage of rental housing accommodations in the local market. The President has found that an acute shortage of housing exists or impends in the Burlington area under Public No. 849, 76th Congress, 3d Session (Lanham Act); Public No. 9, 77th Congress, 1st Session; and Public No. 24, 77th Congress, 1st Session (Title VI, National Housing Act). Burlington has been placed on the list of Defense Housing Areas in which builders may secure priority ratings on critical materials for residential construction.

Surveys in the Burlington area have reported low vacancy ratios for rental housing accommodations, indicative of the abnormality of the local market. New construction in this area by private industry and by the Government has not been sufficient to restore a normal rental market for housing accommodations.

Defense activities have resulted in substantial and widespread increases in rents, affecting most of the rental housing accommodations in the Burlington area. Official governmental surveys of rental change conducted in this area have shown a marked upward movement in the general level of residential rents during the past two years. By reason of these substantial increases the rents prevailing in the Burlington area are not generally fair and equitable.*

§ 1388.403 *Recommendations.* It is the judgment of the Administrator that by April 1, 1941 defense activities already had resulted in increases in rents for housing accommodations within the designated area inconsistent with the purposes of the Act. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within such area on or about January 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date. The Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes, and other costs. It is the judgment of the Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the Act.

Recommendations with reference to the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area are as follows:

(a) Maximum rents for housing accommodations should be:

(1) For housing accommodations rented on January 1, 1941 the rent for such accommodations on that date.

(2) For housing accommodations not rented on January 1, 1941 but rented at any time within the six months ending on that date, the last rent prior to said date.

(3) For housing accommodations not rented on January 1, 1941 nor within the six months ending on that date, the first rent after that date, but in no event more than the rent generally prevailing in the Burlington Defense-Rental Area for comparable housing accommodations on January 1, 1941.

(b) Provision consistent with the purposes of the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of the maximum rent for the following classifications of housing accommodations, but in principle maximum rents for such housing accommodations should not be greater than the rent for comparable accommodations prevailing in the Burlington Defense-Rental Area on January 1, 1941:

(1) For housing accommodations completed and first rented after January 1, 1941, or changed after January 1, 1941 in any manner resulting in an increase or decrease in the number of units in such accommodations, or substantially altered by an improvement or deterioration subsequent to January 1, 1941.

(2) For housing accommodations owned by the United States or any agency thereof or by the State of Iowa or any political subdivision thereof, or agency of any of the foregoing.

(3) For substantial increase or decrease of services in connection with housing accommodations subsequent to January 1, 1941.

(4) In cases where the rent on January 1, 1941 was materially affected by the blood, personal or other special relationship between landlord and tenant or was determined by a written lease which had been in force for six months or more on said date and such rent was greater or less than the rent for comparable accommodations in the Burlington Defense-Rental Area on January 1, 1941.

(c) Appropriate provision should be made with respect to evictions, other actions relating to the recovery of possession, and the modification of services; and appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.*

§ 1388.404 *Maximum rent regulation.* If within sixty days after the issuance of this declaration, rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by state or local regulation, or otherwise, in accordance with the foregoing recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.*

§ 1388.405 *Effective date.* This designation and rent declaration (§§ 1388.401 to 1388.405, inclusive) is effective March 2, 1942.*

Issued this 2d day of March 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1813; Filed, March 2, 1942; 4:05 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

WICHITA—DESIGNATION OF THE WICHITA DEFENSE-RENTAL AREA AND RENT DECLARATION RELATING TO THAT AREA

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that Act; and

In the judgment of the Administrator, defense activities have resulted in an increase in the rents for housing accommodations in the area described below inconsistent with the purposes of the

Emergency Price Control Act of 1942; and

In the judgment of the Administrator, it is necessary and proper in order to effectuate the purposes of said Act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization and reduction of rents for defense-area housing accommodations within the defense-rental area described below;

Therefore, under the authority vested in the Administrator by said Act, this designation and rent declaration is issued.

§ 1388.451 *Designation.* The following area is designated by the Administrator as an area where defense activities have resulted in an increase in the rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute a defense-rental area to be known as the "Wichita Defense-Rental Area":

In the State of Kansas, the County of Sedgwick in its entirety.*

* §§1388.451 to 1388.455, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong., 2d Sess.

§ 1388.452 *Necessity.* The necessity for the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area is as follows:

The designated area is and has been the location of war production industries. The increase in employment reflecting the expansion of defense activities and the influx of production workers and their families have resulted in an acute shortage of rental housing accommodations in the local market. The President has found that an acute shortage of housing exists or impends in the Wichita area under Public No. 849, 76th Congress, 3d Session (Lanham Act), and Public No. 24, 77th Congress, 1st Session (Title VI, National Housing Act). Wichita has been placed on the list of Defense Housing Areas in which builders may secure priority ratings on critical materials for residential construction.

Surveys in the Wichita area have reported low vacancy ratios for rental housing accommodations, indicative of the abnormality of the local market. New construction in this area by private industry and by the Government has not been sufficient to restore a normal rental market for housing accommodations.

Defense activities have resulted in substantial and widespread increases in rents affecting most of the rental housing accommodations in the Wichita area. Official governmental surveys of rental change conducted in this area have shown a marked upward movement in the general level of residential rents during the past two years. By reason of these substantial increases the rents prevailing in the Wichita area are not generally fair and equitable.*

§ 1388.453 *Recommendations.* It is the judgment of the Administrator that by April 1, 1941 defense activities had not yet resulted in increases in rents for housing accommodations within the designated area inconsistent with the purposes of the Act. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within such area on or about July 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date. The Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the Act.

Recommendations with reference to the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area are as follows:

(a) Maximum rents for housing accommodations should be:

(1) For housing accommodations rented on July 1, 1941 the rent for such accommodations on that date.

(2) For housing accommodations not rented on July 1, 1941 but rented at any time within the six months ending on that date, the last rent prior to said date.

(3) For housing accommodations not rented on July 1, 1941 nor within the six months ending on that date, the first rent after that date, but in no event more than the rent generally prevailing in the Wichita Defense-Rental Area for comparable housing accommodations on July 1, 1941.

(b) Provision consistent with the purposes of the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of the maximum rent for the following classifications of housing accommodations, but in principle maximum rents for such housing accommodations should not be greater than the rent for comparable accommodations prevailing in the Wichita Defense-Rental Area on July 1, 1941:

(1) For housing accommodations completed and first rented after July 1, 1941, or changed after July 1, 1941 in any manner resulting in an increase or decrease in the number of units in such accommodations, or substantially altered by an improvement or deterioration subsequent to July 1, 1941.

(2) For housing accommodations owned by the United States or any agency thereof or by the State of Kansas or any political subdivision thereof, or agency of any of the foregoing.

(3) For substantial increase or decrease of services in connection with housing accommodations subsequent to July 1, 1941.

(4) In cases where the rent on July 1, 1941 was materially affected by the blood, personal or other special relationship between landlord and tenant or was determined by a written lease which had been in force for six months or more on said date and such rent was greater or less than the rent for comparable accommodations in the Wichita Defense-Rental Area on July 1, 1941.

(c) Appropriate provision should be made with respect to evictions, other actions relating to the recovery of possession, and the modification of services; and appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.*

§ 1388.454 *Maximum rent regulation.* If within sixty days after the issuance of this declaration, rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by state or local regulation, or otherwise, in accordance with the foregoing recommendations, the Administrator may be regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.*

§ 1388.455 *Effective date.* This designation and rent declaration (§§ 1388.451 to 1388.455, inclusive) is effective March 2, 1942.*

Issued this 2d day of March 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1828; Filed, March 2, 1942; 4:18 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

DETROIT—DESIGNATION OF THE DETROIT DEFENSE-RENTAL AREA AND RENT DECLARATION RELATING TO THAT AREA

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that Act; and

In the judgment of the Administrator, defense activities have resulted in an increase in the rents for housing accommodations in the area described below inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Administrator, it is necessary and proper in order to

effectuate the purposes of said Act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization and reduction of rents for defense-area housing accommodations within the defense-rental area described below;

Therefore, under the authority vested in the Administrator by said Act, this designation and rent declaration is issued.

§ 1388.501 *Designation.* The following area is designated by the Administrator as an area where defense activities have resulted in an increase in the rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute a defense-rental area to be known as the "Detroit Defense-Rental Area":

In the State of Michigan, the Counties of Macomb, Oakland, and Wayne in their entireties.*

* §§ 1388.501 to 1388.505, inclusive, issued under the authority contained in Pub. No. 421, 77th Cong., 2d Sess.

§ 1388.502 *Necessity.* The necessity for the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area is as follows:

The designated area is and has been the location of establishments of the armed forces of the United States and war production industries. The increase in employment reflecting the expansion of defense activities, the influx of production workers and their families, and of the families of military and naval personnel have resulted in an acute shortage of rental housing accommodations in the local market. The President has found that an acute shortage of housing exists or impends in localities in the Detroit area under Public No. 849, 76th Congress, 3d Session (Lanham Act), and Public No. 24, 77th Congress, 1st Session (Title VI, National Housing Act). Localities in the Detroit area have been placed on the list of Defense Housing Areas in which builders may secure priority ratings on critical materials for residential construction.

Surveys in the Detroit area have reported low vacancy ratios for rental housing accommodations, indicative of the abnormality of the local market. New construction in this area by private industry and by the Government has not been sufficient to restore a normal rental market for housing accommodations.

Defense activities have resulted in substantial and widespread increases in rents, affecting most of the rental housing accommodations in the Detroit area. Official governmental surveys of rental change conducted in this area have shown a marked upward movement in the general level of residential rents during the past two years. By reason of these substantial increases the rents prevailing in the Detroit area are not generally fair and equitable.*

§ 1388.503 *Recommendations.* The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the designated area on or about April 1, 1941. It is his judgment that prior to April 1, 1941, defense activities had not yet resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Act, but did result in such increases commencing on or about that date. The Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the Act.

Recommendations with reference to the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area are as follows:

(a) Maximum rents for housing accommodations should be:

(1) For housing accommodations rented on April 1, 1941 the rent for such accommodations on that date.

(2) For housing accommodations not rented on April 1, 1941 but rented at any time within the six months ending on that date, the last rent prior to said date.

(3) For housing accommodations not rented on April 1, 1941 nor within the six months ending on that date, the first rent after that date, but in no event more than the rent generally prevailing in the Detroit Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(b) Provision consistent with the purposes of the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of the maximum rent for the following classifications of housing accommodations, but in principle maximum rents for such housing accommodations should not be greater than the rent for comparable accommodations prevailing in the Detroit Defense-Rental Area on April 1, 1941:

(1) For housing accommodations completed and first rented after April 1, 1941, or changed after April 1, 1941 in any manner resulting in an increase or decrease in the number of units in such accommodations, or substantially altered by an improvement or deterioration subsequent to April 1, 1941.

(2) For housing accommodations owned by the United States or any agency thereof or by the State of Michigan or any political subdivision thereof, or agency of any of the foregoing.

(3) For substantial increase or decrease of services in connection with housing accommodations subsequent to April 1, 1941.

(4) In cases where the rent on April 1, 1941 was materially affected by the blood, personal or other special relationship between landlord and tenant or was determined by a written lease which had been in force for six months or more on said date and such rent was greater or less than the rent for comparable accommodations in the Detroit Defense-Rental Area on April 1, 1941.

(c) Appropriate provision should be made with respect to evictions, other actions relating to the recovery of possession, and the modification of services; and appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.*

§ 1388.504 *Maximum rent regulation.* If within sixty days after the issuance of this declaration, rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by state or local regulation, or otherwise, in accordance with the foregoing recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.*

§ 1388.505 *Effective date.* This designation and rent declaration (§§ 1388.501 to 1388.505, inclusive) is effective March 2, 1942.*

Issued this 2d day of March 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1822; Filed, March 2, 1942; 4:13 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

SCHENECTADY—DESIGNATION OF THE SCHENECTADY DEFENSE-RENTAL AREA AND RENT DECLARATION RELATING TO THAT AREA

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that Act; and

In the judgment of the Administrator, defense activities have resulted in an increase in the rents for housing accommodations in the area described below inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Administrator, it is necessary and proper in order to effectuate the purposes of said Act to issue this declaration, setting forth the

necessity for, and recommendations with reference to, the stabilization and reduction of rents for defense-area housing accommodations within the defense-rental area described below;

Therefore, under the authority vested in the Administrator by said Act, this designation and rent declaration is issued.

§ 1388.551 *Designation.* The following area is designated by the Administrator as an area where defense activities have resulted in an increase in the rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute a defense-rental area to be known as the "Schenectady Defense-Rental Area":

In the State of New York, the County of Schenectady in its entirety; and in the County of Saratoga the Towns of Ballston, Charlton, and Clifton Park.*

*§§ 1388.551 to 1388.555, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong., 2nd Sess.

§ 1388.552 *Necessity.* The necessity for the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area is as follows:

The designated area is and has been the location of war production industries. The increase in employment reflecting the expansion of defense activities and the influx of production workers and their families have resulted in an acute shortage of rental housing accommodations in the local market. The President has found that an acute shortage of housing exists or impends in the Schenectady area under Public No. 24, 77th Congress, 1st Session (Title VI, National Housing Act). Schenectady has been placed on the list of Defense Housing Areas in which builders may secure priority ratings on critical materials for residential construction.

Surveys in the Schenectady area have reported low vacancy ratios for rental housing accommodations, indicative of the abnormality of the local market. New construction in this area by private industry and by the Government has not been sufficient to restore a normal rental market for housing accommodations.

Defense activities have resulted in substantial and widespread increases in rents, affecting most of the rental housing accommodations in the Schenectady area. Official governmental surveys of rental change conducted in this area have shown a marked upward movement in the general level of residential rents during the past two years. By reason of these substantial increases the rents prevailing in the Schenectady area are not generally fair and equitable.*

§ 1388.553 *Recommendations.* The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the designated area on or about April 1, 1941. It is his judgment that prior to April 1, 1941, defense activities had not yet resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Act, but did result in such increases commencing on or about that date. The Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the Act.

Recommendations with reference to the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area are as follows:

(a) Maximum rents for housing accommodations should be:

(1) For housing accommodations rented on April 1, 1941 the rent for such accommodations on that date.

(2) For housing accommodations not rented on April 1, 1941 but rented at any time within the six months ending on that date, the last rent prior to said date.

(3) For housing accommodations not rented on April 1, 1941 nor within the six months ending on that date, the first rent after that date, but in no event more than the rent generally prevailing in the Schnectady Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(b) Provision consistent with the purposes of the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of the maximum rent for the following classifications of housing accommodations, but in principle maximum rents for such housing accommodations should not be greater than the rent for comparable accommodations prevailing in the Schenectady Defense-Rental Area on April 1, 1941:

(1) For housing accommodations completed and first rented after April 1, 1941, or changed after April 1, 1941 in any manner resulting in an increase or decrease in the number of units in such accommodations, or substantially altered by an improvement or deterioration subsequent to April 1, 1941.

(2) For housing accommodations owned by the United States or any agency thereof or by the State of New York or any political subdivision thereof, or agency of any of the foregoing.

(3) For substantial increase or decrease of services in connection with housing accommodations subsequent to April 1, 1941.

(4) In cases where the rent on April 1, 1941 was materially affected by the blood, personal or other special relationship between landlord and tenant or was determined by a written lease which had been in force for six months or more on said date and such rent was greater or less than the rent for comparable accommodations in the Schenectady Defense-Rental Area on April 1, 1941.

(c) Appropriate provision should be made with respect to evictions, other actions relating to the recovery of possesion, and the modification of services; and appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.*

§ 1388.554 *Maximum rent regulation.* If within sixty days after the issuance of this declaration, rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by state or local regulation, or otherwise, in accordance with the foregoing recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.*

§ 1388.555 *Effective date.* This designation and rent declaration (§§ 1388.551 to 1388.555, inclusive) is effective March 2, 1942.*

Issued this 2d day of March 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1830; Filed, March 2, 1942; 4:19 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

WILMINGTON—DESIGNATION OF THE WILMINGTON, NORTH CAROLINA DEFENSE-RENTAL AREA AND RENT DECLARATION RELATING TO THAT AREA

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that Act; and

In the judgment of the Administrator, defense activities have resulted in an increase in the rents for housing accommodations in the area described below inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Administrator, it is necessary and proper in order to effectuate the purposes of said Act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization and reduction of rents for defense-area housing accommodations within the defense-rental area described below;

Therefore, under the authority vested in the Administrator by said Act, this designation and rent declaration is issued.

§ 1388.601 *Designation.* The following area is designated by the Administrator as an area where defense activities have resulted in an increase in the rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute a defense-rental area to be known as the "Wilmington, North Carolina Defense-Rental Area":

In the State of North Carolina, the County of New Hanover in its entirety.*

*§§ 1388.601 to 1388.605, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong., 2nd Sess.

§ 1388.602 *Necessity.* The necessity for the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area is as follows:

The designated area is and has been the location of war production industries, and establishments of the armed forces of the United States are located nearby. The increase in employment reflecting the expansion of defense activities and the influx of production workers and their families, and of the families of military personnel have resulted in an acute shortage of rental housing accommodations in the local market. The President has found that an acute shortage of housing exists or impends in the Wilmington area under Public No. 849, 76th Congress, 3d Session (Lanham Act); Public No. 9, 77th Congress, 1st Session; and Public No. 24, 77th Congress, 1st Session (Title VI, National Housing Act). Wilmington has been placed on the list of Defense Housing Areas in which builders may secure priority ratings on critical materials for residential construction.

Surveys in the Wilmington area have reported low vacancy ratios for rental housing accommodations, indicative of the abnormality of the local market. New construction in this area by private industry and by the Government has not been sufficient to restore a normal rental market for housing accommodations.

Defense activities have resulted in substantial and widespread increases in rents, affecting most of the rental housing accommodations in the Wilmington area. Official governmental surveys of rental change conducted in this area have shown a marked upward movement in the general level of residential rents during the past two years. By reason of these substantial increases the rents prevailing in the Wilmington area are not generally fair and equitable.*

§ 1388.603 *Recommendations.* The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the designated area on or about April 1, 1941. It is his judgment that prior to April 1, 1941, defense activities had not yet resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Act, but did result in such increases commencing on or about that date. The Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the Act.

Recommendations with reference to the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area are as follows:

(a) Maximum rents for housing accommodations should be:

(1) For housing accommodations rented on April 1, 1941 the rent for such accommodations on that date.

(2) For housing accommodations not rented on April 1, 1941 but rented at any time within the six months ending on that date, the last rent prior to said date.

(3) For housing accommodations not rented on April 1, 1941 nor within the six months ending on that date, the first rent after that date, but in no event more than the rent generally prevailing in the Wilmington, North Carolina Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(b) Provision consistent with the purposes of the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of the maximum rent for the following classifications of housing accommodations, but in principle maximum rents for such housing accommodations should not be greater than the rent for comparable accommodations prevailing in the Wilmington, North Carolina Defense-Rental Area on April 1, 1941:

(1) For housing accommodations completed and first rented after April 1, 1941, or changed after April 1, 1941 in any manner resulting in an increase or decrease in the number of units in such accommodations, or substantially altered by an improvement or deterioration subsequent to April 1, 1941.

(2) For housing accommodations owned by the United States or any agency thereof or by the State of North Carolina or any political subdivision thereof, or agency of any of the foregoing.

(3) For substantial increase or decrease of services in connection with housing accommodations subsequent to April 1, 1941.

(4) In cases where the rent on April 1, 1941, was materially affected by the blood, personal or other special relationship between landlord and tenant or was determined by a written lease which had been in force for six months or more on said date and such rent was greater or less than the rent for comparable accommodations in the Wilmington, North Carolina Defense-Rental Area on April 1, 1941.

(c) Appropriate provision should be made with respect to evictions, other actions relating to the recovery of possession, and the modification of services; and appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.*

§ 1388.604 *Maximum rent regulation.* If within sixty days after the issuance of this declaration, rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by state or local regulation, or otherwise, in accordance with the foregoing recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.*

§ 1388.605 *Effective date.* This designation and rent declaration (§§ 1388.601 to 1388.605, inclusive) is effective March 2, 1942.*

Issued this 2d day of March 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1817; Filed, March 2, 1942; 4:07 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

AKRON—DESIGNATION OF THE AKRON DEFENSE-RENTAL AREA AND RENT DECLARATION RELATING TO THAT AREA

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that Act; and

In the judgment of the Administrator, defense activities have resulted in an increase in rents for housing accommodations in the area described below inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Administrator, it is necessary and proper in order to effectuate the purposes of said Act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization and reduction of rents for defense-area housing accommodations within the defense-rental area described below;

Therefore, under the authority vested in the Administrator by said Act, this designation and rent declaration is issued.

§ 1388.651 *Designation.* The following area is designated by the Administrator as an area where defense activities have resulted in an increase in the rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute a defense-rental area to be known as the "Akron Defense-Rental Area":

In the State of Ohio, the County of Summit in its entirety; and in the County of Medina the Township of Wadsworth.*

*§§ 1388.651 to 1388.655, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong., 2nd Sess.

§ 1388.652 *Necessity.* The necessity for the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area is as follows:

The designated area is and has been the location of war production industries. The increase in employment reflecting the expansion of defense activities and the influx of production workers and their families have resulted in an acute shortage of rental housing accommodations in the local market. The President has found that an acute shortage of housing exists or impends in the Akron area under Public No. 849, 76th Congress, 3d Session (Lanham Act), and Public No. 24, 77th Congress, 1st Session (Title VI, National Housing Act). Akron has been placed on the list of Defense Housing Areas in which builders may secure priority ratings on critical materials for residential construction.

Surveys in the Akron area have reported low vacancy ratios for rental housing accommodations, indicative of the abnormality of the local market. New construction in this area by private industry and by the Government has not been sufficient to restore a normal rental market for housing accommodations.

Defense activities have resulted in substantial and widespread increases in rents, affecting most of the rental housing accommodations in the Akron area. Official governmental surveys of rental change conducted in this area have shown a marked upward movement in the general level of residential rents during the past two years. By reason of these substantial increases the rents prevailing in the Akron area are not generally fair and equitable.*

§ 1388.653 *Recommendations.* The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the designated area on or about April 1, 1941. It is his judgment that prior to April 1, 1941, defense activities had not yet resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Act, but did result in such increases commencing on or about that date. The Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the Act.

Recommendations with reference to the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area are as follows:

(a) Maximum rents for housing accommodations should be:

(1) For housing accommodations rented on April 1, 1941 the rent for such accommodations on that date.

(2) For housing accommodations not rented on April 1, 1941 but rented at any time within the six months ending on that date, the last rent prior to said date.

(3) For housing accommodations not rented on April 1, 1941 nor within the six months ending on that date, the first rent after that date, but in no event more than the rent generally prevailing in the Akron Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(b) Provision consistent with the purposes of the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of the maximum rent for the following classifications of housing accommodations, but in principle maximum rents for such housing accommodations should not be greater than the rent for comparable accommodations prevailing in the Akron Defense-Rental Area on April 1, 1941:

(1) For housing accommodations completed and first rented after April 1, 1941, or changed after April 1, 1941 in any manner resulting in an increase or decrease in the number of units in such accommodations, or substantially altered by an improvement or deterioration subsequent to April 1, 1941.

(2) For housing accommodations owned by the United States or any agency thereof or by the State of Ohio or any political subdivision thereof, or agency of any of the foregoing.

(3) For substantial increase or decrease of services in connection with housing accommodations subsequent to April 1, 1941.

(4) In cases where the rent on April 1, 1941 was materially affected by the blood, personal or other special relationship between landlord and tenant or was determined by a written lease which had been in force for six months or more on said date and such rent was greater or less than the rent for comparable accommodations in the Akron Defense-Rental Area on April 1, 1941.

(c) Appropriate provision should be made with respect to evictions, other actions relating to the recovery of possession and the modification of services; and appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.*

§ 1388.654 *Maximum rent regulation.* If within sixty days after the issuance of this declaration, rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by state or local regulation, or otherwise, in accordance with the foregoing recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.*

§ 1388.655 *Effective date.* This designation and rent declaration (§§ 1388.651 to 1388.655, inclusive) is effective March 2, 1942.*

Issued this 2nd day of March 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1814; Filed, March 2, 1942; 4:05 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

CANTON—DESIGNATION OF THE CANTON DEFENSE-RENTAL AREA AND RENT DECLARATION RELATING TO THAT AREA

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that Act; and

In the judgment of the Administrator, defense activities have resulted in an increase in the rents for housing accommodations in the area described below inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Administrator, it is necessary and proper in order to effectuate the purposes of said Act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization and reduction of rents for defense-area housing accommodations within the defense-rental area described below;

Therefore, under the authority vested in the Administrator by said Act, this designation and rent declaration is issued.

§ 1388.701 *Designation.* The following area is designated by the Administrator as an area where defense activities have resulted in an increase in the rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute a defense-rental area to be

known as the "Canton Defense-Rental Area":

In the State of Ohio, the County of Stark in its entirety.*

*§§ 1388.701 to 1388.705, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong., 2nd Sess.

§ 1388.702 *Necessity.* The necessity for the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area is as follows:

The designated area is and has been the location of war production industries. The increase in employment reflecting the expansion of defense activities and the influx of production workers and their families have resulted in an acute shortage of rental housing accommodations in the local market. The President has found that an acute shortage of housing exists or impends in a number of localities in the Canton area under Public No. 849, 76th Congress, 3d Session (Lanham Act), and Public No. 24, 77th Congress, 1st Session (Title VI, National Housing Act). A number of localities in the Canton area have been placed on the list of Defense Housing Areas in which builders may secure priority ratings on critical materials for residential construction.

Surveys in the Canton area have reported low vacancy ratios for rental housing accommodations, indicative of the abnormality of the local market. New construction in this area by private industry and by the Government has not been sufficient to restore a normal rental market for housing accommodations.

Defense activities have resulted in substantial and widespread increases in rents, affecting most of the rental housing accommodations in the Canton area. Official governmental surveys of rental change conducted in this area have shown a marked upward movement in the general level of residential rents during the past two years. By reason of these substantial increases the rents prevailing in the Canton area are not generally fair and equitable.*

§ 1388.703 *Recommendations.* The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the designated area on or about April 1, 1941. It is his judgment that prior to April 1, 1941, defense activities had not yet resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Act, but did result in such increases commencing on or about that date. The Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the Act.

Recommendations with reference to the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area are as follows:

(a) Maximum rents for housing accommodations should be:

(1) For housing accommodations rented on April 1, 1941 the rent for such accommodations on that date.

(2) For housing accommodations not rented on April 1, 1941 but rented at any time within the six months ending on that date, the last rent prior to said date.

(3) For housing accommodations not rented on April 1, 1941 nor within the six months ending on that date, the first rent after that date, but in no event more than the rent generally prevailing in the Canton Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(b) Provision consistent with the purposes of the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of the maximum rent for the following classifications of housing accommodations, but in principle maximum rents for such housing accommodations should not be greater than the rent for comparable accommodations prevailing in the Canton Defense-Rental Area on April 1, 1941:

(1) For housing accommodations completed and first rented after April 1, 1941, or changed after April 1, 1941 in any manner resulting in an increase or decrease in the number of units in such accommodations, or substantially altered by an improvement or deterioration subsequent to April 1, 1941.

(2) For housing accommodations owned by the United States or any agency thereof or by the State of Ohio or any political subdivision thereof, or agency of any of the foregoing.

(3) For substantial increase or decrease of services in connection with housing accommodations subsequent to April 1, 1941.

(4) In cases where the rent on April 1, 1941 was materially affected by the blood, personal or other special relationship between landlord and tenant or was determined by a written lease which had been in force for six months or more on said date and such rent was greater or less than the rent for comparable accommodations in the Canton Defense-Rental Area on April 1, 1941.

(c) Appropriate provision should be made with respect to evictions, other actions relating to the recovery of possession, and the modification of services; and appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.*

§ 1388.704 *Maximum rent regulation.* If within sixty days after the issuance of this declaration, rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by state or local regulation, or otherwise, in accordance with the foregoing recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.*

§ 1388.705 *Effective date.* This designation and rent declaration (§§ 1388.701 to 1388.705, inclusive) is effective March 2, 1942.*

Issued this 2d day of March 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1832; Filed, March 2, 1942; 4:20 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

CLEVELAND—DESIGNATION OF THE CLEVELAND DEFENSE-RENTAL AREA AND RENT DECLARATION RELATING TO THAT AREA

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that Act; and

In the judgment of the Administrator, defense activities have resulted in an increase in the rents for housing accommodations in the area described below inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Administrator, it is necessary and proper in order to effectuate the purposes of said Act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization and reduction of rents for defense-area housing accommmodations within the defense-rental area described below;

Therefore, under the authority vested in the Administrator by said Act, this designation and rent declaration is issued.

§ 1388.751 *Designation.* The following area is designated by the Administrator as an area where defense activities have resulted in an increase in the rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute a defense-rental area to be known as the "Cleveland Defense-Rental Area":

In the State of Ohio, the County of Cuyahoga in its entirety; and in the County of Lake the Township of Willoughby and those parts of the Township of Kirtland included within the corporate

limits of the Villages of Waite Hill and Willoughby.*

*§§ 1388.751 to 1388.755, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong., 2d Sess.

§ 1388.753 *Necessity.* The necessity for the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area is as follows:

The designated area is and has been the location of war production industries. The increase in employment reflecting the expansion of defense activities and the influx of production workers and their families have resulted in an acute shortage of rental housing accommodations in the local market. The President has found that an acute shortage of housing exists or impends in the Cleveland area under Public No. 849, 76th Congress, 3d Session (Lanham Act), and Public No. 24, 77th Congress, 1st Session (Title VI, National Housing Act). Cleveland has been placed on the list of Defense Housing Areas in which builders may secure priority ratings on critical materials for residential construction.

Surveys in the Cleveland area have reported low vacancy ratios for rental housing accommodations, indicative of the abnormality of the local market. New construction in this area by private industry and by the Government has not been sufficient to restore a normal rental market for housing accommodations.

Defense activities have resulted in substantial and widespread increases in rents, affecting most of the rental housing accommodations in the Cleveland area. Official governmental surveys of rental change conducted in this area have shown a marked upward movement in the general level of residential rents during the past two years. By reason of these substantial increases the rents prevailing in the Cleveland area are not generally fair and equitable.*

§ 1388.752 *Recommendations.* It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within the designated area inconsistent with the purposes of the Act. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within such area on or about July 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date. The Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including flucuations in property taxes and other costs. It is the judgment of the Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the Act.

Recommendations with reference to the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area are as follows:

(a) Maximum rents for housing accommodations should be:

(1) For housing accommodations rented on July 1, 1941 the rent for such accommodations on that date.

(2) For housing accommodations not rented on July 1, 1941 but rented at any time within the six months ending on that date, the last rent prior to said date.

(3) For housing accommodations not rented on July 1, 1941 nor within the six months ending on that date, the first rent after that date, but in no event more than the rent generally prevailing in the Cleveland Defense-Rental Area for comparable housing accommodations on July 1, 1941.

(b) Provision consistent with the purposes of the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of the maximum rent for the following classifications of housing accommodations, but in principle maximum rents for such housing accommodations should not be greater than the rent for comparable accommodations prevailing in the Cleveland Defense-Rental Area on July 1, 1941:

(1) For housing accommodations completed and first rented after July 1, 1941, or changed after July 1, 1941 in any manner resulting in an increase or decrease in the number of units in such accommodations, or substantially altered by an improvement or deterioration subsequent to July 1, 1941.

(2) For housing accommodations owned by the United States or any agency thereof or by the State of Ohio or any political subdivision thereof, or agency of any of the foregoing.

(3) For substantial increase or decrease of services in connection with housing accommodations subsequent to July 1, 1941.

(4) In cases where the rent on July 1, 1941 was materially affected by the blood, personal or other special relationship between landlord and tenant or was determined by a written lease which had been in force for six months or more on said date and such rent was greater or less than the rent for comparable accommodations in the Cleveland Defense-Rental Area on July 1, 1941.

(c) Appropriate provision should be made with respect to evictions, other actions relating to the recovery of possession, and the modification of services; and appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.*

§ 1388.754 *Maximum rent regulation.* If within sixty days after the issuance of this declaration, rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by state or local regulation, or otherwise, in accordance with the foregoing recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.*

§ 1388.755 *Effective date.* This designation and rent declaration (§§ 1388.751 to 1388.755, inclusive) is effective March 2, 1942.*

Issued this 2d day of March 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1820; Filed, March 2, 1942; 4:10 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

RAVENNA—DESIGNATION OF THE RAVENNA DEFENSE-RENTAL AREA AND RENT DECLARATION RELATING TO THAT AREA

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that Act; and

In the judgment of the Administrator, defense activities have resulted in an increase in the rents for housing accommodations in the area described below inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Administrator, it is necessary and proper in order to effectuate the purposes of said Act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization and reduction of rents for defense-area housing accommodations within the defense-rental area described below:

Therefore, under the authority vested in the Administrator by said Act, this designation and rent declaration is issued.

§ 1388.801 *Designation.* The following area is designated by the Administrator as an area where defense activities have resulted in an increase in the rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and

shall constitute a defense-rental area to be known as the "Ravenna Defense-Rental Area":

In the State of Ohio, the County of Portage in its entirety.*

*§§ 1388.801 to 1388.805, inclusive, issued under the authority contained in Pub. Law No. 421, 77th Cong., 2d Sess.

§ 1388.802 *Necessity.* The necessity for the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area is as follows:

The designated area is and has been the location of war production industries. The increase in employment reflecting the expansion of defense activities and the influx of production workers and their families have resulted in an acute shortage of rental housing accommodations in the local market. The President has found that an acute shortage of housing exists or impends in the Ravenna area under Public No. 849, 76th Congress, 3d Session (Lanham Act); Public No. 9, 77th Congress, 1st Session; and Public No. 24, 77th Congress, 1st Session; and Public No. 24, 77th Congress, 1st Session (Title VI, National Housing Act). Ravenna has been placed on the list of Defense Housing Areas in which builders may secure priority ratings on critical materials for residential construction.

Surveys in the Ravenna area have reported low vacancy ratios for rental housing accommodations, indicative of the abnormality of the local market. New construction in this area by private industry and by the Government has not been sufficient to restore a normal rental market for housing accommodations.

Defense activities have resulted in substantial and widespread increases in rents, affecting most of the rental housing accommodations in the Ravenna area. Official governmental surveys of rental change conducted in this area have shown a marked upward movement in the general level of residential rents during the past two years. By reason of these substantial increases the rents prevailing in the Ravenna area are not generally fair and equitable.*

§ 1388.803 *Recommendations.* The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the designated area on or about April 1, 1941. It is his judgment that prior to April 1, 1941, defense activities had not yet resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Act, but did result in such increases commencing on or about that date. The Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the Act.

Recommendations with reference to the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area are as follows:

(a) Maximum rents for housing accommodations should be:

(1) For housing accommodations rented on April 1, 1941 the rent for such accommodations on that date.

(2) For housing accommodations not rented on April 1, 1941 but rented at any time within the six months ending on that date, the last rent prior to said date.

(3) For housing accommodations not rented on April 1, 1941 nor within the six months ending on that date, the first rent after that date, but in no event more than the rent generally prevailing in the Ravenna Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(b) Provision consistent with the purposes of the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of the maximum rent for the following classifications of housing accommodations, but in principle maximum rents for such housing accommodations should not be greater than the rent for comparable accommodations prevailing in the Ravenna Defense-Rental Area on April 1, 1941:

(1) For housing accommodations completed and first rented after April 1, 1941, or changed after April 1, 1941 in any manner resulting in an increase or decrease in the number of units in such accommodations, or substantially altered by an improvement or deterioration subsequent to April 1, 1941.

(2) For housing accommodations owned by the United States or any agency thereof or by the State of Ohio or any political subdivision thereof, or agency of any of the foregoing.

(3) For substantial increase or decrease of services in connection with housing accommodations subsequent to April 1, 1941.

(4) In cases where the rent on April 1, 1941 was materially affected by the blood, personal or other special relationship between landlord and tenant or was determined by a written lease which had been in force for six months or more on said date and such rent was greater or less than the rent for comparable accommodations in the Ravenna Defense-Rental Area on April 1, 1941.

(c) Appropriate provision should be made with respect to evictions, other actions relating to the recovery of possession, and the modification of services; and appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.*

§ 1388.804 *Maximum rent regulation.* If within sixty days after the issuance of this declaration, rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the foregoing recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.*

§ 1388.805 *Effective date.* This designation and rent declaration (§§ 1388.801 to 1388.805, inclusive) is effective March 2, 1942.*

Issued this 2d day of March 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1827; Filed, March 2, 1942; 4:17 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

YOUNGSTOWN-WARREN—DESIGNATION OF THE YOUNGSTOWN-WARREN DEFENSE-RENTAL AREA AND RENT DECLARATION RELATING TO THAT AREA

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that Act; and

In the judgment of the Administrator, defense activities have resulted in an increase in the rents for housing accommodations in the area described below inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Administrator, it is necessary and proper in order to effectuate the purposes of said Act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization and reduction of rents for defense-area housing accommodations within the defense-rental area described below;

Therefore, under the authority vested in the Administrator by said Act, this designation and rent declaration is issued.

§ 1388.851 *Designation.* The following area is designated by the Administrator as an area where defense activities have resulted in an increase in the rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute a defense-rental area to be known as the "Youngstown-Warren Defense-Rental Area":

In the State of Ohio, the Counties of Mahoning and Trumbull in their entireties.*

*§§ 1388.851 to 1388.855, inclusive, issued under the authority contained in Pub. Law No. 421, 77th Cong., 2nd Sess.

§ 1388.852 *Necessity.* The necessity for the stabilization and reduction of

rents for defense-area housing accommodations in said defense-rental area is as follows:

The designated area is and has been the location of war production industries. The increase in employment reflecting the expansion of defense activities and the influx of production workers and their families have resulted in an acute shortage of rental housing accommodations in the local market. The President has found that an acute shortage of housing exists or impends in localities in the Youngstown-Warren area under Public No. 849, 76th Congress, 3d Session (Lanham Act); and Public No. 24, 77th Congress, 1st Session (Title VI, National Housing Act). Localities in the Youngstown-Warren area have been placed on the list of Defense Housing Areas in which builders may secure priority ratings on critical materials for residential construction.

Surveys in the Youngstown-Warren area have reported low vacancy ratios for rental housing accommodations, indicative of the abnormality of the local market. New construction in this area by private industry and by the Government has not been sufficient to restore a normal rental market for housing accommodations.

Defense activities have resulted in substantial and widespread increases in rents, affecting most of the rental housing accommodations in the Youngstown-Warren areas. Official governmental surveys of rental change conducted in this area have shown a marked upward movement in the general level of residential rents during the past two years. By reason of these substantial increases the rents prevailing in the Youngstown-Warren area are not generally fair and equitable.*

§ 1388.853 *Recommendations.* The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the designated area on or about April 1, 1941. It is his judgment that prior to April 1, 1941, defense activities had not yet resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Act, but did result in such increases commencing on or about that date. The Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the Act.

Recommendations with reference to the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area are as follows:

(a) Maximum rents for housing accommodations should be:

(1) For housing accommodations rented on April 1, 1941 the rent for such accommodations on that date.

(2) For housing accommodations not rented on April 1, 1941 but rented at any time within the six months ending on that date, the last rent prior to said date.

(3) For housing accommodations not rented on April 1, 1941 nor within the six months ending on that date, the first rent after that date, but in no event more than the rent generally prevailing in the Youngstown - Warren Defense - Rental Area for comparable housing accommodations on April 1, 1941.

(b) Provision consistent with the purposes of the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of the maximum rent for the following classifications of housing accommodations, but in principle maximum rents for such housing accommodations should not be greater than the rent for comparable accommodations prevailing in the Youngstown-Warren Defense-Rental Area on April 1, 1941:

(1) For housing accommodations completed and first rented after April 1, 1941, or changed after April 1, 1941 in any manner resulting in an increase or decrease in the number of units in such accommodations, or substantially altered by an improvement or deterioration subsequent to April 1, 1941.

(2) For housing accommodations owned by the United States or any agency thereof or by the State of Ohio or any political subdivision thereof, or agency of any of the foregoing.

(3) For substantial increase or decrease of services in connection with housing accommodations subsequent to April 1, 1941.

(4) In cases where the rent on April 1, 1941 was materially affected by the blood, personal or other special relationship between landlord and tenant or was determined by a written lease which had been in force for six months or more on said date and such rent was greater or less than the rent for comparable accommodations in the Youngstown-Warren Defense-Rental Area on April 1, 1941.

(c) Appropriate provision should be made with respect to evictions, other actions relating to the recovery of possession, and the modification of services; and appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.*

§ 1388.854 *Maximum rent regulation.* If within sixty days after the issuance of this declaration, rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by state or local regulation, or otherwise, in accordance with the foregoing recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.*

§ 1388.855 *Effective date.* This designation and rent declaration (§§ 1388.851 to 1388.855, inclusive) is effective March 2, 1942.*

Issued this 2nd day of March, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1818; Filed, March 2, 1942; 4:09 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

HAMPTON ROADS—DESIGNATION OF THE HAMPTON ROADS DEFENSE-RENTAL AREA AND RENT DECLARATION RELATING TO THAT AREA

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that Act; and

In the judgment of the Administrator, defense activities have resulted in an increase in the rents for housing accommodations in the area described below inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Administrator, it is necessary and proper in order to effectuate the purposes of said Act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization and reduction of rents for defense-area housing accommodations within the defense-rental area described below;

Therefore, under the authority vested in the Administrator by said Act, this designation and rent declaration is issued.

§ 1388.901 *Designation.* The following area is designated by the Administrator as an area where defense activities have resulted in an increase in the rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute a defense-rental area to be known as the "Hampton Roads Defense-Rental Area":

In the State of Virginia, the Independent Cities of Hampton, Newport News, Norfolk, Portsmouth, and South Norfolk; the County of Elizabeth City in its entirety; in the County of Norfolk

the Magisterial Districts of Deep Creek, Tanners Creek, Washington, and Western Branch; in the County of Princess Anne the Magisterial Districts of Kempsville and Lynnhaven; and in the County of Warwick the Magisterial District of Newport.*

*§§ 1388.901 to 1388.905, inclusive, issued under the authority contained in Pub. No. 421, 77th Cong., 2nd Sess.

§ 1388.902 *Necessity.* The neccessity for the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area is as follows:

The designated area is and has been the location of establishments of the armed forces of the United States and war production industries. The increase in employment reflecting the expansion of defense activities, the influx of production workers and their families, and of the families of military and naval personnel have resulted in an acute shortage of rental housing accommodations in the local market. The President has found that an acute shortage of housing exists or impends in a number of localities in the Hampton Roads area under Public No. 671, 76th Congress, 3d Session; Public No. 849, 76th Congress, 3d Session (Lanham Act); Public No. 9, 77th Congress, 1st Session; and Public No. 24, 77th Congress, 1st Session (Title VI National Housing Act). He has also allocated funds to the Navy Department for the construction of housing units under Public No. 781, 76th Congress, 3d Session, upon certification by the Secretary of the Navy that such housing was important for purposes under his jurisdiction and necessary to the national defense program. A number of localities in the Hampton Roads area have been placed on the list of Defense Housing Areas in which builders may secure priority ratings on critical materials for residential construction.

Surveys in the Hampton Roads area have reported low vacancy ratios for rental housing accommodations, indicative of the abnormality of the local market. New construction in this area by private industry and by the Government has not been sufficient to restore a normal rental market for housing accommodations.

Defense activities have resulted in substantial and widespread increases in rents, affecting most of the rental housing accommodations in the Hampton Roads area. Official governmental surveys of rental change conducted in this area have shown a marked upward movement in the general level of residential r nts during the past two years. By reason of these substantial increases the rents prevailing in the Hampton Roads area are not generally fair and equitable.*

§ 1388.903 *Recommendations.* The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the designated area on or about April 1, 1941. It is his judgment that prior to April 1, 1941, defense activities had not yet resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Act, but did result in such increases commencing on or about that date. The Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the Act.

Recommendations with reference to the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area are as follows:

(a) Maximum rents for housing accommodations should be:

(1) For housing accommodations rented on April 1, 1941 the rent for such accommodations on that date.

(2) For housing accommodations not rented on April 1, 1941 but rented at any time within the six months ending on that date, the last rent prior to said date.

(3) For housing accommodations not rented on April 1, 1941 nor within the six months ending on that date, the first rent after that date, but in no event more than the rent generally prevailing in the Hampton Roads Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(b) Provision consistent with the purposes of the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of the maximum rent for the following classifications of housing accommodations, but in principle maximum rents for such housing accommodations should not be greater than the rent for comparable accommodations prevailing in the Hampton Roads Defense-Rental Area on April 1, 1941:

(1) For housing accommodations completed and first rented after April 1, 1941, or changed after April 1, 1941 in any manner resulting in an increase or decrease in the number of units in such accommodations, or substantially altered by an improvement or deterioration subsequent to April 1, 1941.

(2) For housing accommodations owned by the United States or any agency thereof or by the State of Virginia or any political subdivision thereof, or agency of any of the foregoing.

(3) For substantial increase or decrease of services in connection with housing accommodations subsequent to April 1, 1941.

(4) In cases where the rent on April 1, 1941 was materially affected by the blood, personal or other special relationship between landlord and tenant or was determined by a written lease which had been in force for six months or more on said date and such rent was greater or less than the rent for comparable accommodations in the Hampton Roads Defense-Rental Area on April 1, 1941.

(c) Appropriate provision should be made with respect to evictions, other actions relating to the recovery of possession, and the modification of services; and appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.*

§ 1388.904 *Maximum rent regulation.* If within sixty days after the issuance of this declaration, rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by state or local regulation, or otherwise, in accordance with the foregoing recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.*

§ 1388.905 *Effective date.* This designation and rent declaration (§§ 1388.901 to 1388.905, inclusive) is effective March 2, 1942.*

Issued this 2d day of March 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1824; Filed, March 2, 1942; 4:15 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

PUGET SOUND—DESIGNATION OF THE PUGET SOUND DEFENSE-RENTAL AREA AND RENT DECLARATION RELATING TO THAT AREA

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that Act; and

In the judgment of the Administrator, defense activities have resulted in an increase in the rents for housing accommodations in the area described below inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Administrator, it is necessary and proper in order to effectuate the purposes of said Act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization and reduction of rents for defense-area housing

accommodations within the defense-rental area described below;

Therefore, under the authority vested in the Administrator by said Act, this designation and rent declaration is issued.

§ 1388.951 *Designation.* The following area is designated by the Administrator as an area where defense activities have resulted in an increase in the rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute a defense-rental area to be known as the "Puget Sound Defense-Rental Area":

In the State of Washington, the County of Kitsap in its entirety and those parts of the Counties of King and Pierce lying west of the Snoqualmie National Forest.*

*§§ 1388.951 to 1388.955, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong., 2d Sess.

§ 1388.952 *Necessity.* The necessity for the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area is as follows:

The designated area is and has been the location of establishments of the armed forces of the United States and of war production industries. The increase in employment reflecting the expansion of defense activities, the influx of production workers and their families, and of the families of military and naval personnel have resulted in an acute shortage of rental housing accommodations in the local market. The President has found that an acute shortage of housing exists or impends in a number of localities in the Puget Sound area under Public No. 671, 76th Congress, 3d Session; Public No. 849, 76th Congress 3d Session (Lanham Act); Public No. 9, 77th Congress, 1st Session; and Public No. 24, 77th Congress, 1st Session (Title VI, National Housing Act). He has also allocated funds to the Navy Department for the construction of housing units under Public No. 781, 76th Congress, 3d Session, upon certification by the Secretary of the Navy that such housing was important for purposes under his jurisdiction and necessary to the national defense program. A number of localities in the Puget Sound area have been placed on the list of Defense Housing Areas in which builders may secure priority ratings on critical materials for residential construction.

Surveys in the Puget Sound area have reported low vacancy ratios for rental housing accommodations, indicative of the abnormality of the local market. New construction in this area by private industry and by the Government has not been sufficient to restore a normal rental market for housing accommodations.

Defense activities have resulted in substantial and widespread increases in rents, affecting most of the rental housing accommodations in the Puget Sound area. Official governmental surveys of rental change conducted in this area have shown a marked upward movement in the general level of residential rents during the past two years. By reason of these substantial increases the rents prevailing in the Puget Sound area are not generally fair and equitable.*

§ 1388.953 *Recommendations.* The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the designated area on or about April 1, 1941. It is his judgment that prior to April 1, 1941, defense activities had not yet resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Act, but did result in such increases commencing on or about that date. The Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the Act.

Recommendations with reference to the stabilization and reduction of rents for defense-area housing accommodations in said defense-rental area are as follows:

(a) Maximum rents for housing accommodations should be:

(1) For housing accommodations rented on April 1, 1941 the rent for such accommodations on that date.

(2) For housing accommodations not rented on April 1, 1941 but rented at any time within the six months ending on that date, the last rent prior to said date.

(3) For housing accommodations not rented on April 1, 1941 nor within the six months ending on that date, the first rent after that date, but in no event more than the rent generally prevailing in the Puget Sound Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(b) Provision consistent with the purposes of the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of the maximum rent for the following classifications of housing accommodations, but in principle maximum rents for such housing accommodations should not be greater than the rent for comparable accommodations prevailing in the Puget Sound Defense-Rental Area on April 1, 1941:

(1) For housing accommodations completed and first rented after April 1, 1941, or changed after April 1, 1941 in any manner resulting in an increase or decrease in the number of units in such accommodations, or substantially altered by an improvement or deterioration subsequent to April 1, 1941.

(2) For housing accommodations owned by the United States or any agency thereof or by the State of Washington or any political subdivision thereof, or agency of any of the foregoing.

(3) For substantial increase or decrease of services in connection with housing accommodations subsequent to April 1, 1941.

(4) In cases where the rent on April 1, 1941 was materially affected by the blood, personal or other special relationship between landlord and tenant or was determined by a written lease which had been in force for six months or more on said date and such rent was greater or less than the rent for comparable accommodations in the Puget Sound Defense-Rental Area on April 1, 1941.

(c) Appropriate provision should be made with respect to evictions, other actions relating to the recovery of possession, and the modification of services; and appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.*

§ 1388.954 *Maximum rent regulation.* If within sixty days after the issuance of this declaration, rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by state or local regulation, or otherwise, in accordance with the foregoing recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.*

§ 1388.955 *Effective date.* This designation and rent declaration (§§ 1388.951 to 1388.955, inclusive) is effective March 2, 1942.*

Issued this 2d day of March 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-1826; Filed, March 2, 1942; 4:17 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

CHAPTER III—GRAZING SERVICE

PART 502—LIST OF ORDERS CREATING OR MODIFYING GRAZING DISTRICTS

MODIFICATION OF OREGON GRAZING DISTRICT NO. 2 [1]

JANUARY 9, 1942.

Under and pursuant to the provisions of the act of June 28, 1934, 48 Stat. 1269, U.S.C., title 43, secs. 315 *et seq.*, as amended, commonly known as the Taylor Grazing Act, departmental order of July 9, 1935, establishing Oregon Grazing District No. 2, is hereby revoked as far as it affects the following described lands, such revocation to be effective upon the inclusion of the lands within the boundaries of the Fremont National Forest:

OREGON

WILLAMETTE MERIDIAN

T. 29 S., R. 12 E., sec. 2, all;
T. 29 S., R. 13 E.,
Sec. 14, SW¼;
Sec. 15, S½;
Sec. 16, S½;

T. 29 S., R. 14 E., sec. 16, S½;
T. 32 S., R. 16 E., sec. 35, E½;
T. 33 S., R. 17 E.,
Sec. 7, E½;
Sec. 17, W½;
T. 34 S., R. 18 E.,
Sec. 25, S½;
Sec. 26, SE¼;
Sec. 35, N½;
Sec. 36, all;
T. 36 S., R. 19 E., sec. 13, all;
T. 36 S., R. 20 E.,
Sec. 20, NE¼;
Sec. 21, N½;
T. 37 S., R. 22 E., sec. 34, NE¼;
T. 38 S., R. 22 E.,
Sec. 3, all;
Sec. 5, all;
Sec. 7, Lots 3, 4, E½, E½SW¼;
Sec. 8, all;
Sec. 9, all;
Sec. 10, all;
Sec. 15, N½, SW¼;
Sec. 16, all;
Sec. 17, all;
Sec. 18, all;
Sec. 19, all;
Sec. 20, all;
Sec. 29, W½;
Sec. 30, all;
Sec. 31, all;
T. 39 S., R. 22 E.,
Sec. 5, all;
Sec. 6, all;
Sec. 7, all;
Sec. 8, all;
Sec. 17, all;
Sec. 20, N½;
T. 40 S., R. 22 E.,
Sec. 5, W½;
Sec. 6, E½;
Sec. 8, NW¼;
Sec. 17, SW¼SW¼;
Sec. 20, W½;
Sec. 29, S½NE¼, NW¼, S½;
Sec. 32, NW¼;
Sec. 33, all.

JOHN J. DEMPSEY,
Acting Secretary of the Interior.

[F. R. Doc. 42-1842; Filed, March 3, 1942; 9:48 a. m.]

TITLE 46—SHIPPING

CHAPTER I—BUREAU OF MARINE INSPECTION AND NAVIGATION

SUBCHAPTER B—MEASUREMENT

[Order No. 224]

FEBRUARY 28, 1942.

Upon the request of the Secretary of the Navy and by virtue of the authority vested in me by the provisions of Executive Order No. 8976, dated December 12, 1941 (6 F.R. 6441), I hereby waive compliance with the provisions of section 4153 R.S.,[1] as amended (46 U.S.C. 77), to the extent and upon the terms hereinafter set forth.

(1) So much of section 4153 R.S., as amended, as requires the tonnage of the shelter deck space above the upper deck, which is under cover and permanently closed in, to be added to the gross tonnage is waived to the extent necessary to permit the tonnage of that space to be omitted from the gross tonnage: *Provided*, That,

(a) At the time of construction of the vessel the space above referred to was open to the weather and not permanently closed in.

(b) After construction the space above referred to is closed in by making the weather tight hatch in the shelter deck water tight, and by closing the tonnage openings in the transverse bulkheads between the freeboard and shelter decks, making those bulkheads water tight.

(c) The load line of the vessel is not raised as a result of the closing in of the space above referred to.

[SEAL] WAYNE C. TAYLOR,
Acting Secretary of Commerce.

[F. R. Doc. 42-1839; Filed, March 2, 1942; 3:49 p. m.]

[1] Affects tabulation in § 502.1e.

[Order No. 225]

EMERGENCY REGULATIONS, AMENDMENTS

FEBRUARY 28, 1942.

Pursuant to the authority of R.S. 4405, as amended (46 U.S.C. 375), the Board of Supervising Inspectors, Bureau of Marine Inspection and Navigation, convened in the conference room, No. 1851, Department of Commerce, Washington, D. C., on January 21, 1942, at which session, after public hearings, the following regulations, amendments, and other actions were adopted:

SUBCHAPTER O—REGULATIONS APPLICABLE TO CERTAIN VESSELS AND SHIPPING DURING EMERGENCY

Subchapter O is amended by the addition of a new Part 152, reading as follows:

PART 152—MARINE ENGINEERING; REGULATIONS DURING EMERGENCY

Sec.
152.1 Definition of terms.
152.2 Degaussing of ocean and coastwise vessels of 2,000 gross tons or over.

§ 152.1 *Definition of terms.* Certain terms used in the regulations of this part are defined as follows:

(a) *Emergency.* The term "emergency" means the Unlimited National Emergency proclaimed by the President on May 27, 1941. (R.S. 4405, 4417, 4417a, as amended, 49 Stat. 1544; 46 U.S.C. 375, 391, 391a, 367)

§ 152.2 *Degaussing of ocean and coastwise vessels of 2,000 gross tons or over.* Effective immediately, every vessel of the United States of 2,000 gross tons or over mentioned in §§ 33.2-1, 33.2-3, 59.1, 60.1, or 63.1a, of this chapter shall be degaussed in accordance with the requirements of, and at such time as may be fixed by, the United States Maritime Commission. (R.S. 4405, 4417, 4417a, as amended, 49 Stat. 1544; 46 U.S.C. 375, 391, 391a, 367)

PART 153—BOATS, RAFTS, AND LIFESAVING APPLIANCES; REGULATIONS DURING EMERGENCY

Section 153.2 is amended to read as follows:

§ 153.2 *Additional lifesaving equipment on ocean and coastwise vessels.* Ocean and coastwise vessels shall, during the emergency, be provided with additional lifesaving appliances as follows:

(a) *Passenger vessels*—(1) *Life rafts.* Passenger vessels shall be equipped with a sufficient number of approved life rafts to accommodate at least 25 percent of all persons on board, in addition to the lifeboats and buoyant apparatus required by Subchapter 6 of this chapter. Rafts shall be of not less than 15-person capacity each.

(2) *Life preservers.* Passenger vessels shall, in addition to having on board a life preserver for each person allowed to be carried, be provided with life preservers stowed on the boat deck for at least 25 percent of the total number of persons. These life preservers shall be stowed in chests so as to be readily accessible and in a manner as to float free of the vessel. The covers of the chests shall be of the "lift-off" type to insure release of the life preservers.

(b) *Cargo vessels and tank ships*—(1) *Lifeboats and rafts.* Cargo vessels and tank ships shall carry a sufficient number of lifeboats on each side to accommodate all persons on board: *Provided*, That where the number of persons permitted by the certificate of inspection is augmented by the addition of Naval personnel for the purpose of protection or observation, additional lifeboat capacity will not be required. Cargo vessels and tank ships shall, in addition to the lifeboatage required, be equipped with sufficient approved life rafts as to accommodate all persons on board. Rafts shall not have a greater capacity than 20 persons nor less capacity than 15 persons. The minimum number of rafts to be furnished such vessels operating on routes exceeding 200 miles offshore shall be four.

(2) *Life preservers.* Cargo vessels and tank ships shall, in addition to having a life preserver for each person allowed to be carried, be provided with life preservers stowed on the boat deck for at least 25 percent of the total number of persons. These life preservers shall be stowed in chests so as to be readily accessible and in a manner as to float free of the vessel. The covers of the chests shall be of the "lift-off" type to insure release of the life preservers.

(3) *Ladders.* Cargo vessels and tank ships shall be provided with suitable ladders to enable persons to descend to lifeboats and rafts, one ladder to be provided for each set of boat davits. These ladders shall be kept ready and convenient for use on the boat deck and shall reach to the vessel's light load water line.

(c) *Towing vessels, manned barges, and miscellaneous craft*—(1) *Life rafts.* Towing vessels, manned barges, and miscellaneous craft shall carry sufficient lifeboats to accommodate all persons on board. In addition, approved rafts to accommodate all persons on board shall be carried: *Provided*, That where lack of space or operating conditions prevent the proper stowage of life rafts, approved life floats may be substituted. Rafts shall not have a greater capacity than 15 persons nor a less capacity than 5 persons.

(2) *Life preservers.* Towing vessels, manned barges, and miscellaneous craft shall, in addition to having a life preserver for each person allowed to be

carried, be provided with life preservers stowed on the boat deck, or uppermost deck, for at least 25 percent of the total number of persons. These life preservers shall be stowed in chests so as to be readily accessible and in a manner as to float free of the vessel. The covers of the chests shall be of the "lift-off" type to insure release of the life preservers. (R.S. 4405, 4417, 4417a, 4426, 4488, as amended, secs. 10 and 11 of 35 Stat. 428, 49 Stat. 1544; 46 U.S.C. 375, 391, 391a, 404, 481, 395, 396, 367)

Section 153.3 is amended to read as follows:

§ 153.3 *Lifeboats on ocean and coastwise vessels.* During the emergency, lifeboats on all vessels operating on ocean or coastwise waters shall comply with the following additional requirements:

(a) *Grab rails.* Grab rails or other suitable means shall be substantially attached to each lifeboat, below the turn of the bilge, where practicable. Grab rails shall extend approximately two-thirds of the length of the lifeboat. Where wires or manila ropes are attached to the lifeboats in lieu of grab rails, they shall be so arranged that they may be detached when the lifeboat is waterborne.

(b) *Air tanks.* The air tanks of lifeboats shall be filled with kapok of about three pounds density per cubic foot, and the airtightness of the tank shall be restored after inserting the kapok. The tanks shall be stenciled "Kapok Filled" with the date. (R.S. 4405, 4417a, 4426, 4488, as amended, secs. 10 and 11 of 35 Stat. 428, 49 Stat. 1544; 46 U.S.C. 375, 391a 404, 481, 395, 396, 367)

The first sentence of § 153.4 is amended to read as follows:

§ 153.4 *Construction of life rafts.* During the emergency, life rafts on all vessels operating on ocean or coastwise waters shall comply with the following additional requirements: * * * (R.S. 4405, 4417a, 4426, 4488, as amended, secs. 10 and 11 of 35 Stat. 428, 49 Stat. 1544; 46 U.S.C. 375, 391a, 404, 481, 395, 396, 367)

Section 153.4 is further amended by the addition of a new paragraph (b) reading as follows:

(b) *Stowage.* Life rafts shall be stowed on skids, launching ways or other alternative means to provide quick release of the rafts directly into the water and, arranged so that they would have the best chance of floating free of the ship if there is no time to launch them. (R.S. 4405, 4417a, 4426, 4488, as amended, secs. 10 and 11 of 35 Stat. 428, 49 Stat. 1544; 46 U.S.C. 375, 391a, 404, 481, 395, 396, 367)

The headnote and first sentence of § 153.6 are amended to read as follows:

§ 153.6 *Additional equipment for lifeboats on ocean and coastwise vessels.* The following additional equipment shall, during the emergency, be provided: * * * (R.S. 4405, 4417a, 4426, 4488, as amended, secs. 10 and 11 of 35 Stat. 428, 49 Stat. 1544; 46 U.S.C. 375, 391a, 404, 481, 395, 396, 367)

Section 153.6 (b) is amended to read as follows:

(b) *Blankets.* At least six woolen blankets in waterproof covers. (R.S. 4405, 4417a, 4426, 4488, as amended, secs. 10 and 11 of 35 Stat. 428, 49 Stat. 1544; 46 U.S.C. 375, 391a, 404, 481, 395, 396, 367)

Section 153.6 (e) is amended to read as follows:

(e) *First-aid kit.* A unit-type, first-aid kit in a weather-tight metal container. The following items or their equivalent should be included:

Adhesive compress.
Ammonia inhalant.
Iodine in applicator vial.
Assorted bandage compresses.
Triangular bandage.
Burn compound.
Eye dressing.
Gauze bandage.
Gauze compress.
Tourniquet and forceps.
Splint-wire.
Safety pins.
Scissors.

The number and kind of unit dressings or treatments per carton may be found in Simplified Practice Recommendation R 178–41 titled "Packaging of First-Aid Kit, Dressings and Treatment" approved by the Secretary of Commerce as effective on June 30, 1941. (R.S. 4405, 4417a, 4426, 4488, as amended, secs. 10 and 11 of 35 Stat. 428, 49 Stat. 1544; 46 U.S.C. 375, 391a, 404, 481, 395, 396, 367)

Section 153.6 (i) is amended to read as follows:

(i) *Massage oil.* One gallon of oil of a type suitable for massaging the feet and legs. (R.S. 4405, 4417a, 4426, 4488, as amended, secs. 10 and 11 of 35 Stat. 428, 49 Stat. 1544; 46 U.S.C. 375, 391a, 404, 481, 395, 396, 367)

Section 153.6 (l) is amended to read as follows:

(l) *Painter.* The painter required by § 59.11 of this chapter shall be secured in the forward part of the boat with a strop eye and toggle so that it may be rigged as a sea painter and readily released from the boat. An additional painter, 15 fathoms of 2¾ inch—manila, shall be secured to the stem and coiled in the boat ready for use. (R.S. 4405, 4417a, 4426, 4488, as amended, secs. 10 and 11 of 35 Stat. 428, 49 Stat. 1544; 46 U.S.C. 375, 391a, 404, 481, 395, 396, 367)

Section 153.6 (m) (3) is amended to read as follows:

(3) Fourteen ounces of chocolate tablets in waterproof packages or containers, or an additional fourteen ounces of biscuits "Type C" rations covered by U. S. Army Specifications. (R.S. 4405, 4417a, 4426, 4488, as amended, secs. 10 and 11 of 35 Stat. 428, 49 Stat. 1544; 46 U.S.C. 375, 391a, 404, 481, 395, 396, 367)

Section 153.6 is amended by the addition of a new subparagraph (m) (6) reading as follows:

(6) Equivalents in calorific value may be substituted for pemmican required by item (2) and the milk tablets required by item (4) or both, provided that the substitutes and packing are satisfactory for lifeboat use. Samples of proposed substitutes shall be submitted to the Director for approval. (R.S. 4405, 4417a, 4426, 4488, as amended, secs. 10 and 11 of 35 Stat. 428, 49 Stat. 1544; 46 U.S.C. 375, 391a, 404, 481, 395, 396, 367)

The headnote and first sentence of § 153.7 is amended to read as follows:

§ 153.7 *Additional equipment for life rafts on ocean and coastwise vessels.* The following additional equipment shall, during the emergency, be provided: * * * (R.S. 4405, 4417a, 4426, 4488, as amended, secs. 10 and 11 of 35 Stat. 428, 49 Stat. 1544; 46 U.S.C. 375, 391a, 404, 481, 395, 396, 367)

Section 153.7 (c) (3) is amended to read as follows:

(3) Fourteen ounces of chocolate tablets in waterproof packages or containers, or an additional fourteen ounces of biscuits "Type C" rations covered by U. S. Army specifications. (R.S. 4405, 4417a, 4426, 4488, as amended, secs. 10 and 11 of 35 Stat. 428, 49 Stat. 1544; 46 U.S.C. 375, 391a, 404, 481, 395, 396, 367)

Section 153.7 is amended by the addition of a new subparagraph (c) (6) reading as follows:

(6) Equivalents in calorific value may be substituted for pemmican required by item (2) and the milk tablets required by item (4) or both, provided that the substitutes and packing are satisfactory for lifeboat use. Samples of proposed substitutes shall be submitted to the Director for approval. (R.S. 4405, 4417a, 4426, 4488, as amended, secs. 10 and 11 of 35 Stat. 428, 49 Stat. 1544; 46 U.S.C. 375, 391a, 404, 481, 395, 396, 367)

Section 153.7 is also amended by the addition of a new paragraph (g) reading as follows:

(g) At least 15 fathoms of 12-thread manila. (R.S. 4405, 4417a, 4426, 4488, as amended, secs. 10 and 11 of 35 Stat. 428, 49 Stat. 1544; 46 U.S.C. 375, 391a, 404, 481, 395, 396, 367)

Part 153 is amended by the addition of a new § 153.8 reading as follows:

§ 153.8 *Removal of vessel's name and home port.* (a) Vessels of 1,000 gross tons and over operating in coastal, intercoastal, or foreign trade are to have all exterior ship's identification and distinguishing marks removed, including the painting out of the name and hailing port. Portable name boards may be utilized when entering and departing from port as may be required.

(b) To effectuate the intent and purpose of paragraph (a) of this section, any part of Subchapter G, Ocean and Coastwise; General Rules and Regula-

tions and the appropriate rule relating to tank vessels, which are contrary thereto are hereby suspended for the period of the National Emergency. (R.S. 4405, 4417a, 4488, as amended, 49 Stat. 1544; 46 U.S.C. 375, 391a, 481, 367)

Part 153 is further amended by the addition of a new § 153.9 reading as follows:

§ 153.9 *Construction of ring life buoys.* The following provisions are, during the emergency, applicable as alternative details of construction for ring life buoys to those provided by §§ 37.8–2, 59.56, 60.49, 76.53, 94.53, and 113.46 of this chapter:

(a) *Thread.* Thread used in the construction of ring life buoys may be of No. 10, six-cord, glazed finish, heavy cotton thread. (R.S. 4405, 4417a, 4426, 4488, as amended, secs. 10 and 11 of 35 Stat. 428, 49 Stat. 1544; 46 U.S.C. 375, 391a, 404, 481, 395, 396, 367)

Part 153 is finally amended by the addition of a new § 153.10 reading as follows:

§ 153.10 *Construction of life preservers.* The following provisions are, during the emergency, applicable as alternative details of construction for life preservers to those provided in §§ 28.4–1 to 28.4–10, inclusive, of this chapter:

(a) *Balsa wood life preservers.* The balsa wood shall be of the genus Ochroma, thoroughly kiln-dried, and heat treated to a moisture content not to exceed 5 percent and shall weigh not more than 10 pounds per cubic foot. It shall be sound, free from rot, dote, knots, pith, checks, and other defects. The block in any one pocket of the life preserver may be in not more than two pieces cut lengthwise with the grain, the smaller piece to be not less than 2" in width; or, of not more than three pieces when glued together with waterproof glue. The weight of the finished balsa wood used in life preservers constructed under the provisions of § 28.4–5 of this chapter shall be not less than 2⅔ lbs. nor more than 3¾ lbs. (R.S. 4405, 4417a, 4426, 4488, as amended, secs. 10 and 11 of 35 Stat. 428, 49 Stat. 1544; 46 U.S.C. 375, 391a, 404, 481, 395, 396, 367)

PART 155—LICENSED OFFICERS AND CERTIFICATED MEN; REGULATIONS DURING EMERGENCY

Section 155.2, *Third mate of ocean steam or motor vessels,* is deleted. (R.S. 4405, 4417a, 4438, 4440, as amended; 46 U.S.C. 375, 391a, 224, 228)

Section 155.3, *Third assistant engineer of ocean steam or motor vessels, or both,* is deleted. (R.S. 4405, 4417a, 4438, 4441, as amended; 46 U.S.C. 375, 391a, 224, 229)

Section 155.4, *Third assistant engineer of ocean steam vessels,* is deleted. (R.S. 4405, 4417a, 4438, 4441, as amended; 46 U.S.C. 375, 391a, 224, 229)

Section 155.5, *Third assistant engineer of motor vessels,* is deleted and the following is substituted in its stead:

§ 155.5 *Third mate of ocean steam or motor vessels.* The following provisions are, during the emergency, applicable as alternative qualifying experience to that provided by §§ 36.3–7 and 62.39 of this chapter:

(a) Twenty-two months sea service in the deck department of ocean vessels. Time spent at a U. S. Maritime Service School for prospective officers, upon completion of the prescribed course of training, may be credited as a part of the required sea service, but not less than eighteen months shall be served at sea; or,

(b) Cadets of the U. S. Maritime Commission's cadet system, after having served twelve months at a Maritime Commission shore school together with ten months service on deck on an ocean vessel; or,

(c) Cadets on active duty as midshipmen in the U. S. Navy, upon completion of twenty-two months service on deck aboard a merchant or Naval vessel; or,

(d) Cadets at a State Maritime Academy, after serving six months in the deck department at sea together with sixteen months shore training. (R.S. 4405, 4417a, 4426, 4438, 4440, as amended, 49 Stat. 1544; 46 U.S.C. 375, 391a, 404, 224, 228, 367)

Part 155 is amended by the addition of a new § 155.8 reading as follows:

§ 155.8 *Second assistant engineer of ocean steam vessels.* The following provision is, during the emergency, applicable as alternative qualifying experience to that provided by §§ 36.3–11 and 62.52 of this chapter:

(a) Any person holding a license as chief engineer of steam vessels on the Great Lakes, bays, sounds and lakes other than the Great Lakes, and rivers, who has served one year under a license may be considered eligible to sit for the examination as second assistant engineer of ocean steam vessels of unlimited tonnage. (R.S. 4405, 4417a, 4426, 4438, 4441, as amended, 49 Stat. 1544; 46 U.S.C. 375, 391a, 404, 224, 229, 367)

Part 155 is further amended by the addition of a new § 155.9 reading as follows:

§ 155.9 *Third assistant engineer of ocean steam vessels.* The following provisions are, during the emergency, applicable as alternative qualifying experience to that provided by §§ 36.3–12 and 62.53 of this chapter:

(a) Twenty-two months service in the engine department of an ocean, Great Lakes, or bays, sounds and lakes other than the Great Lakes steam or motor vessel, one year of which must have been served as a qualified member of the engine department. Time spent at a U. S. Maritime Service School for prospective officers, upon completion of the prescribed course of training, may be credited as part of the required service, but not less than eighteen months shall be served in the engine department of ocean, Great Lakes, or bays, sounds, and lakes other than the Great Lakes vessels; or,

(b) Cadets of the U. S. Maritime Commission's cadet system, after having served twelve months at a Maritime Commission shore school together with ten months sea service in the engine department of an ocean steam or motor vessel; or,

(c) Cadets on active duty as midshipmen in the U. S. Navy, upon completion of twenty-two months service in the engine department of a steam or motor merchant or Naval vessel; or,

(d) State Maritime Academy engineering cadets who have completed six months aboard ship on training cruises together with sixteen months shore training; or,

(e) Any person holding a license as motor engineer may be considered eligible to sit for the examination as third assistant engineer of ocean steam vessels of appropriate tonnage; or,

(f) Any person holding a limited license as first assistant engineer of ocean steam vessels and who has served one year under authority of a license may be considered eligible to sit for the examination as third assistant engineer of ocean steam vessels of unlimited tonnage; or,

(g) Any person holding a license as first assistant engineer of steam vessels on the Great Lakes, bays, sounds, and lakes other than the Great Lakes, and rivers, and who has served one year under authority of a license may be considered eligible to sit for examination as third assistant engineer of ocean steam vessels of unlimited tonnage. (R.S. 4405, 4417a, 4426, 4438, 4441, as amended, 49 Stat. 1544; 46 U.S.C. 375, 391a, 404, 224, 229, 367)

Part 155 is further amended by the addition of a new § 155.14 reading as follows:

§ 155.14 *Experience required for license as pilot, Great Lakes.* The following provision is, during the emergency, applicable as alternative qualifying experience to that provided by §§ 36.5–3 and 78.36 of this chapter:

(a) No original license for pilot of any class shall be issued to any person who has not served at least two and one-half years in the deck department of a steam vessel, motor vessel, or sail vessel, one year of which experience must have been obtained within the three years next preceding the date of application for license, which fact the inspectors shall require, when practicable, to be verified by the certificate, in writing, of the licensed master or pilot under whom the applicant has served, such certificate to be filed with the application of the candidate. (R.S. 4405, 4417a, 4426, 4438, 4442, as amended; 46 U.S.C. 375, 391a, 404, 224, 214)

Part 155 is further amended by the addition of a new § 155.18 reading as follows:

§ 155.18 *Third assistant engineer of Great Lakes steam vessels.* The following provisions are, during the emergency, applicable as alternative qualifying experience to that provided by §§ 36.5–8 and 78.46 of this chapter:

(a) Twenty-two months service in the engine department of an ocean, Great

Lakes, or bays, sounds and lakes other than the Great Lakes steam or motor vessel, one year of which must have been served as a qualified member of the engine department. Time spent at a U. S. Maritime Service School for prospective officers, upon completion of the prescribed course of training, may be credited as part of the required service, but not less than eighteen months shall be served in the engine department of ocean, Great Lakes, or bays, sounds, and lakes other than the Great Lakes vessels. (R.S. 4405, 4417a, 4426, 4438, 4441, as amended; 46 U.S.C. 375, 391a, 404, 224, 229)

Part 155 is further amended by the addition of a new § 155.23 reading as follows:

§ 155.23 *Experience required for license as pilot, bays, sounds, and lakes other than the Great Lakes.* The following provision is, during the emergency, applicable as alternative qualifying experience to that provided by §§ 36.6–3 and 96.35 of this chapter:

(a) No original license for pilot of any class shall be issued to any person who has not served at least two and one-half years in the deck department of a steam vessel, motor vessel, or sail vessel, one year of which experience must have been obtained within the three years next preceding the date of application for license, which fact the inspectors shall require, when practicable, to be verified by the certificate, in writing, of the licensed master or pilot under whom the applicant has served, such certificate to be filed with the application of the candidate. (R.S. 4405, 4417a, 4426, 4438, 4442, as amended; 46 U.S.C. 375, 391a, 404, 224, 214)

Part 155 is further amended by the addition of a new § 155.27 reading as follows:

§ 155.27 *Third assistant engineer of bays, sounds, and lakes other than the Great Lakes, steam vessels.* The following provisions are, during the emergency, applicable as alternative qualifying experience to that provided by §§ 36.6–8 and 96.45 of this chapter:

(a) Twenty-two months service in the engine department of an ocean, Great Lakes, or bays, sounds and lakes other than the Great Lakes steam or motor vessel, one year of which must have been served as a qualified member of the engine department. Time spent at a U. S. Maritime Service School for prospective officers, upon completion of the prescribed course of training, may be credited as part of the required service, but not less than eighteen months shall be served in the engine department of ocean, Great Lakes, or bays, sounds, and lakes other than the Great Lakes vessels. (R.S. 4405, 4417a, 4426, 4438, 4441, as amended; 46 U.S.C. 375, 391a, 404, 224, 229)

Part 155 is further amended by the addition of a new § 155.30 reading as follows:

§ 155.30 *Second assistant engineer of motor vessels.* The following provision is, during the emergency, applicable as alternative qualifying experience to that provided by §§ 36.3–16 and 62.57 of this chapter:

(a) Any person holding a license as chief engineer of motor vessels of not less than 350 gross tons who has served one year under authority of a license may be considered eligible to sit for the examination as second assistant engineer of motor vessels of unlimited tonnage. (R.S. 4405, 4417a, 4426, 4438, 4441, as amended, 49 Stat. 1544; 46 U.S.C. 375, 391a, 404, 224, 229, 367)

Part 155 is further amended by the addition of a new § 155.31 reading as follows:

§ 155.31 *Third assistant engineer of motor vessels.* The following provisions are, during the emergency, applicable as alternative qualifying experience to that provided by §§ 36.3–17 and 62.58 of this chapter:

(a) Twenty-two months service in the engine department of an ocean, Great Lakes, or bays, sounds and lakes other than the Great Lakes steam or motor vessel, one year of which must have been served as a qualified member of the engine department. Time spent at a U. S. Maritime Service School for prospective officers, upon completion of the prescribed course of training, may be credited as part of the required service, but not less than eighteen months shall be served in the engine department of ocean, Great Lakes, or bays, sounds, and lakes other than the Great Lakes vessels; or,

(b) Cadets of the U. S. Maritime Commission's cadet system, after having served twelve months at a Maritime Commission shore school together with ten months sea service in the engine department of an ocean steam or motor vessel; or,

(c) Cadets on active duty as midshipmen in the U. S. Navy, upon completion of twenty-two months service in the engine department of a steam or motor merchant or Naval vessel; or,

(d) State Maritime Academy engineering cadets who have completed six months aboard ship on training cruises together with sixteen months shore training; or,

(e) Any person holding a license as steam engineer of ocean vessels may be considered eligible to sit for examination as third assistant engineer of motor vessels of appropriate tonnage; or,

(f) Any person holding a license as first assistant engineer of motor vessels of not less than 350 gross tons, who has served one year under authority of a license, may be considered eligible to sit for examination as third assistant engineer of motor vessels of unlimited tonnage. (R.S. 4405, 4417a, 4426, 4438, 4441, as amended, 49 Stat. 1544; 46 U.S.C. 375, 391a, 404, 224, 229, 367)

Part 155 is finally amended by the addition of a new § 155.32 reading as follows:

§ 155.32 *Experience required for license as pilot, Rivers.* The following provision is, during the emergency, applicable as alternative qualifying experience to that provided by §§ 36.7–3 and 115.34 of this chapter:

(a) No original license for pilot of any class shall be issued to any person who has not served at least two and one-half years in the deck department of a steam vessel, motor vessel, or sail vessel, one year of which experience must have been obtained within the three years next preceding the date of application for license, which fact the inspectors shall require, when practicable, to be verified by the certificate, in writing, of the licensed master or pilot under whom the applicant has served, such certificate to be filed with the application of the candidate. (R.S. 4405, 4417a, 4426, 4438, 4442, as amended; 46 U.S.C. 375, 391a, 404, 224, 214)

Subchapter O is amended by the addition of a new Part 159 reading as follows:

PART 159—STORAGE OF HIGH EXPLOSIVES ON TANK VESSELS; REGULATIONS DURING EMERGENCY

Sec.

§ 159.1 *Definition of terms.* Certain terms used in the regulations of this part are defined as follows:

(a) *Emergency.* The term "emergency" means the Unlimited National Emergency proclaimed by the President on May 27, 1941.*

*§§ 159.1 to 159.6, inclusive, issued under the authority contained in R.S. 4405, 4417a, as amended; 46 U.S.C. 375, 391a.

§ 159.2 *Authorization.* Armed tanker vessels of the United States may accept, transport, carry, convey, store, stow or use such high explosives as are necessary for such armament when said high explosives are accepted, transported, carried, conveyed, stored, stowed or used in accordance with the provisions of §§ 159.3 to 159.6, inclusive.*

§ 159.3 *Storage of high explosives.* Magazines shall be provided on board the vessel for the storage of high explosive ammunition (either fixed or separate loaded). Magazines may be located in a dry cargo space or a poop or forecastle space not utilized for crew quarters. The maximum separation possible shall be maintained between any magazine and any space allotted to the use of crew or persons other than crew. Magazines shall not be constructed in bearing with the collision bulkhead nor with a bulkhead forming a boiler room, engine room, coal bunker or galley boundary. If it is necessary to construct such magazines in proximity to these bulkheads, a cofferdam space of at least 4 feet shall be provided between the bulkhead and the magazine side. Consistent with the above restrictions, magazines shall be constructed in locations selected by the Navy Department. A "ready" supply of shells may be stowed in "ready boxes" on deck adjacent to

the gun mount. These "ready boxes" shall be as provided by, or constructed to a design furnished by, the Bureau of Ships, Navy Department.*

§ 159.4 *Storage of small-arms ammunition.* Small-arms ammunition having all the component parts necessary for one firing, all in one assembly, may be stowed in boxes or lockers in a location adjacent to the gun mounts, such location to be selected by the Navy Department. Boxes or lockers for the storage of small-arms ammunition, shall be as provided by, or constructed to a design furnished by the Bureau of Ships, Navy Department.*

§ 159.5 *Care of ammunition.* The loading, stowage, handling and use of all ammunition intended for the guns mounted on the vessel shall be under the control of the commander of the armed guard or other representative of the Navy Department.*

§ 159.6 *Construction of magazines.* Magazines shall be constructed in accordance with specifications furnished by, or approved by, the Bureau of Ships, Navy Department.*

Miscellaneous Items of Equipment Approved

The following miscellaneous items of equipment for the better security of life at sea are approved:

Low-pressure Heating Boilers

Heating boiler having drum diameter of 31" to 61", inclusive (Dwg. No. 186.091, dated Dec. 16, 1941) (Working pressure not to exceed 30 lbs. per square inch); manufactured by Pacific Steel Boiler Division of the U. S. Radiator Corp., Detroit, Michigan.

Heating boiler having drum diameter less than 30" (Dwg. No. 187.091, dated Dec. 16, 1941) (Working pressure not to exceed 30 lbs. per square inch); manufactured by Pacific Steel Boiler Division of the U. S. Radiator Corp., Detroit, Michigan.

Safety Valves

Type M safety valves (Maximum working pressure of 300 lbs. per square inch and maximum temperature of 450° F.), bronze in 2" and 2½" sizes (Dwg. No. 818 dated 11/27/41), steel in 3" to 4½" sizes, inclusive (Dwg. No. 817-A dated 12/3/41); manufactured by Coale Muffler & Safety Valve Company, Baltimore, Maryland.

Lifeboat

22' x 7'8" x 3'3" W. P. plywood lifeboat (Dwg. marked "1941"); manufactured by Gunderson Bros., Portland, Oregon.

Disengaging Apparatus

Welin Hand Release Hook (Dwg. No. 1818-3), (Maximum working load of 9,500 lbs. per hook); manufactured by Welin Davit & Boat Corp., Perth Amboy, New Jersey.

Welin Mills Hooks, Size "A" for maximum working load of 6,000 lbs. per hook, size "B" for maximum working load of 11,700 lbs. per hook, and size "C" for maximum working load of 17,900 lbs. per hook (Dwg. No. 1862, dated Dec. 11, 1940); manufactured by Welin Davit & Boat Corp., Perth Amboy, New Jersey.

Davits

Schat rolling gravity davit with adjustable track, Type 51-66. (Arrangement Dwg. No. AA 111, dated Nov. 10, 1941) (Maximum working load of 9,500 lbs. per arm); manufactured by Lane Lifeboat & Davit Corp., Brooklyn, New York.

Landley Type 5-SS-6-0 Crescent boom sheath screw davit (Arrangement Dwg. No. NY-4032, dated Jan. 29, 1941) (Maximum working load of 2,248 lbs. per arm); manufactured by The Landley Company, Inc., New York, New York.

Landley Type 8-SS-6-0 Straight boom sheath screw davit (Arrangement Dwg. No. 5661-E, dated Feb. 21, 1941) (Maximum working load of 3,500 lbs. per arm); manufactured by The Landley Company, Inc., New York, New York.

Landley Type 3-SS-7-0 Crescent boom sheath screw davit (Arrangement Dwg. No. NY-4010, dated Aug. 13, 1940) (Maximum working load of 8,375 lbs. per arm); manufactured by The Landley Company, Inc., New York, New York.

Welin Crescent sheath screw davit, Type "C" (Arrangement Dwg. No. 2082, dated 10/17/41) (Maximum working load of 6,500 lbs. per arm); manufactured by Welin Davit & Boat Corp., Perth Amboy, New Jersey.

Welin Crescent sheath screw davit, Type "B" (Arrangement Dwg. No. 1974, dated Nov. 4, 1941) (Maximum working load of 5,000 lbs. per arm); manufactured by Welin Davit & Boat Corp., Perth Amboy, New Jersey.

Welin Crescent sheath screw davit, Type "A" (Arrangement Dwg. No. 1952, dated Oct. 31, 1941) (Maximum working load of 2,535 lbs. per arm); manufactured by Welin Davit & Boat Corp., Perth Amboy, New Jersey.

Welin-Maclachlan gravity davit, Type 60-75 (Dwg. No. 6075, dated Nov. 24, 1941 and 6075-1, dated Nov. 25, 1941) (Maximum working load of 10,500 lbs. per arm); manufactured by Welin Davit & Boat Corp., Perth Amboy, New Jersey.

Welin-Maclachlan gravity davit for nested lifeboats (Dwgs. Nos. 2027, dated 12/16/41; 2096, dated 12/10/41; and 2128, dated 12/19/41) (Maximum working load of 17,200 lbs. per arm taken by falls together with 4,300 lbs. per arm taken by davit head); manufactured by Welin Davit & Boat Corp., Perth Amboy, New Jersey.

Winches

Welin-Maclachlan Type CWB Single Drum lifeboat winch (Arrangement Dwg. No. 2118, dated Jan. 10, 1942) (Maximum working load of 6,970 lbs. at the drum with not more than 3 wraps of the fall on the drum; maximum working load of 4,820 lbs. at the drum with not more than 9 wraps of the fall on the drum); manufactured by Welin Davit & Boat Corp., Perth Amboy, New Jersey.

Welin Type BWB lifeboat winch with quick return gear (Arrangement Dwg. No. 2114, dated Dec. 17, 1941) (Maximum working load of 17,200 lbs. at the drums); manufactured by Welin Davit & Boat Corp., Perth Amboy, New Jersey.

Types HS, HSX, & HSN lifeboat winches (Modified Dwgs. H-3, HX-1, HX-2, HX-3, HSX-1, 1720-26, 2123 & 2124) (Maximum working load of 6,800 lbs. at the drums); manufactured by Welin Davit & Boat Corp., Perth Amboy, New Jersey.

Life Rafts

Life rafts, flush-deck type, balsa wood pontoons (Dwg. No. L. R. 11 dated Jan. 26, 1942, and Dwg. No. L. R. 6-A, dated Feb. 2, 1942); manufactured by Winner Manufacturing Co., Inc., Trenton, New Jersey.

Life rafts, flush-deck type, plywood pontoons (Dwg. No. L-32, dated Feb. 4, 1942); manufactured by Williams & Wells Co., New York, New York.

Life raft, solid balsa wood pontoons (Dwg. No. L-201); manufactured by Sculler Safety Corp., New York, New York.

Life raft (Dwg. No. RLR-15); manufactured by Zobel's Sea Skiff and Yacht Works, Sea Bright, New Jersey.

Life raft, well-deck type (Dwg. No. NM-15, dated 1-26-42); manufactured by Todd Galveston Dry Docks, Inc., Galveston, Texas.

Life raft, well-deck type (Dwg. No. NM-16, dated 1-30-42); manufactured by Todd Galveston Dry Docks, Inc., Galveston, Texas.

Life raft, catamaran type (Dwg. No. XC-913, dated Feb. 4, 1942); manufactured by The Texas Company, Port Arthur, Texas.

Life raft, catamaran type (Dwg. No. S-18, rev. date Feb. 12, 1942); manufactured by Frank Morrison & Son Co., Cleveland, Ohio.

Life, raft, catamaran type (Dwg. No. No. R-15, rev. date Feb. 12, 1942); manufactured by Frank Morrison & Son Co., Cleveland, Ohio.

Life rafts, well-deck type, plywood pontoons (Dwg. No. LR-8, dated Feb. 17, 1942); manufactured by Winner Manufacturing Co. Inc., Trenton, New Jersey.

Life raft, flush-deck type (Dwg. No. 100, dated Feb. 17, 1942); manufactured by Ansel Raynor, Seaford, Long Island.

Life raft, flush-deck type (Dwg. dated Feb. 3, 1942); manufactured by Pennsylvania Shipping Co., Philadelphia, Pennsylvania.

Life raft, flush-deck type (Dwg. Nos. B-1031 and B-1032, dated Feb. 3, 1942); manufactured by Los Angeles Boiler Works, Los Angeles, California.

Life raft, flush-deck type (Dwg. No. 154-A, dated Feb. 10, 1942); manufactured by Lane Lifeboat & Davit Corp., Brooklyn, New York.

Life raft, flush-deck type, solid balsa wood pontoons (Dwg. No. 153-A, dated 2/13/42); manufactured by Lane Lifeboat & Davit Corp., Brooklyn, New York.

Buoyant Apparatus

Buoyant apparatus, 20-person capacity, solid balsa interior and plywood decks (Dwg. No. B. A.-20); manufactured by Sculler Safety Corp., New York, New York.

Buoyant apparatus, 20-person capacity, hollow balsa wood box float (Dwg. No. BA-5, dated January 22, 1942);

manufactured by Winner Manufacturing Co., Inc., Trenton, New Jersey.

Buoyant apparatus, 18-person capacity, with No. 20 B. W. G. galvanized steel air tanks (Dwg. No. CS–300, dated August 20, 1941); manufactured by Colvin-Slocum Boats, Inc., New York, New York.

Life Preserver

Nonstandard quilted kapok life preserver vest No. 10–A (Dwg. dated October 16, 1941), Approval No. B–97; manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Life Preserver Light

Snap on or pocket water actuated light for attaching to life preservers; manufactured by Triumph Explosives, Inc., Elkton, Maryland.

Thread for Life Preservers

Kingston No. 10/4 soft or glazed finish cotton thread; manufactured by The American Thread Co., Inc., New York, New York.

No. 10/3 waterproofed and mildewproofed glazed finish cotton thread; manufactured by Dean & Sherk Co., Inc., Lawrenceburg, Kentucky.

Flashlights for Lifeboats

Bond flashlight No. 3252 XB; manufactured by Bond Electric Corp., New Haven, Connecticut.

Hand Distress Signals

Cowdry-Standard Red Ship Signals, hand distress signals; manufactured by Standard Railway Fusee Corp., Boonton, New Jersey.

Water Light

Automatic Electric Water Light (gravity switch) U. S. N. Type (Dwg. No. W.L.–1); manufactured by Sculler Safety Corp., New York, New York.

Buoyant Cushions

Kapok buoyant cushion, identified by Drawing No. SK3681, marked "Cushion No. 1", dated January 20, 1942, Approval No. B–70; manufactured by Chris-Craft Corp., Algonac, Michigan.

Kapok buoyant cushion, identified by Drawing No. SK3681, marked "Cushion No. 4", dated January 20, 1942, Approval No. B–73; manufactured by Chris-Craft Corp., Algonac, Michigan.

Kapok buoyant cushion, identified by Drawing No. SK3681, marked "Cushion No. 5", dated January 20, 1942, Approval No. B–74; manufactured by Chris-Craft Corp., Algonac, Michigan.

Kapok buoyant cushion, identified by Drawing No. SK3681, marked "Cushion No. 7", dated January 20, 1942, Approval No. B–76; manufactured by Chris-Craft Corp., Algonac, Michigan.

Kapok buoyant cushion, identified by Drawing No. SK3681, marked "Cushion No. 8", dated January 20, 1942, Approval No. B–77; manufactured by Chris-Craft Corp., Algonac, Michigan.

Kapok buoyant cushion, identified by Drawing No. SK3681, marked "Cushion No. 9", dated January 20, 1942, Approval No. B–78; manufactured by Chris-Craft Corp., Algonac, Michigan.

Kapok buoyant cushion, identified by Drawing No. SK3681, marked "Cushion No. 12", dated January 20, 1942, Approval No. B–81; manufactured by Chris-Craft Corp., Algonac, Michigan.

Kapok buoyant cushion, identified by Drawing No. SK3681, marked "Cushion No. 14", dated January 20, 1942, Approval No. B–83; manufactured by Chris-Craft Corp., Algonac, Michigan.

Kapok buoyant cushion, identified by Drawing No. SK3681, marked "Cushion No. 16", dated January 20, 1942, Approval No. B–85; manufactured by Chris-Craft Corp., Algonac, Michigan.

Kapok buoyant cushion, identified by Drawing No. SK3681, marked "Cushion No. 18", dated January 20, 1942, Approval No. B–87; manufactured by Chris-Craft Corp., Algonac, Michigan.

Kapok buoyant cushion, identified by Drawing No. SK3681, marked "Cushion No. 20", dated January 20, 1942, Approval No. B–89; manufactured by Chris-Craft Corp., Algonac, Michigan.

Kapok buoyant cushion, identified by Drawing No. SK3681, marked "Cushion No. 26", dated January 20, 1942, Approval No. B–94; manufactured by Chris-Craft Corp., Algonac, Michigan.

Kapok buoyant cushion, identified by Drawing No. SK3681, marked "Cushion No. 28", dated January 20, 1942, Approval No. B–96; manufactured by Chris-Craft Corp., Algonac, Michigan.

Rectangular kapok buoyant cushions: Type No. 2, 17½" x 19½" x 2½", Approval No. B–71; Type No. 3, 18½" x 19½" x 2½", Approval No. B–72; Type No. 6, 17" x 17" x 2½", Approval No. B–75; Type No. 10, 17" x 18" x 2¾", Approval No. B–79; Type No. 11, 17½" x 18½" x 2½", Approval No. B–80; Type No. 13, 17" x 19½" x 2½", Approval No. B–82; Type No. 15, 19½" x 19½" x 2½", Approval No. B–84; Type No. 17, 17" x 21" x 2½", Approval No. B–86; Type No. 19, 16½" x 37½" x 3", Approval No. B–88; Type No. 21, 18½" x 24" x 3", Approval No. B–90; Type No. 23, 19" x 40" x 3", Approval No. B–91; Type No. 24, 18" x 19" x 2", Approval No. B–92; Type No. 25, 20" x 28½" x 3", Approval No. B–93; and Type No. 27, 21" x 31" x 2¾", Approval No. B–95; manufactured by Chris-Craft Corp., Algonac, Michigan.

Oblong (rectangular) kapok buoyant cushions: Type No. 1, 12" x 20" x 2", Approval No. B–98; Type No. 2, 12" x 24" x 2", Approval No. B–99; Type No. 3, 12" x 30" x 2", Approval No. B–100; Type No. 4, 12" x 36" x 2", Approval No. B–101; Type No. 5, 12" x 42" x 2", Approval No. B–102; Type No. 6, 12" x 45" x 2", Approval No. B–103; Type No. 7, 12" x 48" x 2", Approval No. B–104; Type No. 8, 12" x 54" x 2", Approval No. B–105; Type No. 9, 13" x 18" x 2", Approval No. B–106; Type No. 11, 14" x 18" x 2", Approval No. B–107; Type No. 12, 14" x 20" x 2", Approval No. B–108; Type No. 13, 14" x 24" x 2", Approval No. B–109; Type No. 14, 14" x 30" x 2", Approval No. B–110; Type No. 15, 14" x 36" x 2", Approval No. B–111; Type No. 16, 14" x 42" x 2", Approval No. B–112; Type No. 17, 14" x 45" x 2", Approval No. B–113; Type No. 18, 14" x 48" x 2", Approval No. B–114; Type No. 19, 15" x 20" x 2", Approval No. B–115; Type No. 20, 15" x 25" x 2", Approval No. B–116; Type No. 21, 15" x 30" x 2", Approval No. B–117; Type No. 22, 15" x 35" x 2", Approval No. B–118; Type No. 23, 15" x 40" x 2", Approval No. B–119; Type No. 24, 15" x 45" x 2", Approval No. B–120; Type No. 25, 16" x 18" x 2", Approval No. B–121; Type No. 26, 16" x 22" x 2", Approval No. B–122; Type No. 27, 16" x 26" x 2", Approval No. B–123; Type No. 28, 16" x 30" x 2", Approval No. B–124; Type No. 29, 16" x 36" x 2", Approval No. B–125; Type No. 30, 16" x 42" x 2", Approval No. B–126; Type No. 31, 18" x 24" x 2", Approval No. B–127; Type No. 32, 18" x 30" x 2", Approval No. B–128; Type No. 33, 18" x 36" x 2", Approval No. B–129; Type No. 34, 20" x 24" x 2", Approval No. B–130, Type No. 35, 20" x 28" x 2", Approval No. B–131; and Type No. 36, 20" x 32" x 2", Approval No. B–132; manufactured by Atlantic-Pacific Manufacturing Corp., Brooklyn, New York.

Double kapok buoyant cushions: Type No. 1, 12" x 14" x 2" seat, 12" x 18" x 2" back, Approval No. B–133; Type No. 2, 14" x 14" x 2" seat, 14" x 14" x 2" back, Approval No. B–134; Type No. 3, 14" x 14" x 2" seat, 14" x 20" x 2" back, Approval No. B–135; and Type No. 4, 15" x 15" x 2" seat, 15" x 20" x 2" back, Approval No. B–136; identified by Drawing "B"; manufactured by Atlantic-Pacific Manufacturing Corp., Brooklyn, New York.

Chair design kapok buoyant cushions: Type No. 1, 16" x 18" x 2", Approval No. B–137; Type No. 2, 17" x 19" x 2", Approval No. B–138; Type No. 3, 18" x 20" x 2", Approval No. B–139; and Type No. 4, 19" x 21" x 2", Approval No. B–140; identified by Drawing "C"; manufactured by Atlantic-Pacific Manufacturing Corp., Brooklyn, New York.

Fishing chair design kapok buoyant cushions: Type No. 1, 16" x 18" x 2", Approval No. B–141; Type No. 2, 17" x 19" x 2", Approval No. B–142; Type No. 3, 18" x 20" x 2", Approval No. B–143; and Type No. 4, 19" x 21" x 2", Approval No. B–144; identified by Drawing "D"; manufactured by Atlantic-Pacific Manufacturing Corp., Brooklyn, New York.

Square kapok buoyant cushions: Type No. 1, 16" x 16" x 2", Approval No. B–145; Type No. 2, 18" x 18" x 2", Approval No. B–146; Type No. 3, 20" x 20" x 2", Approval No. B–147; manufactured by Atlantic-Pacific Manufacturing Corp., Brooklyn, New York.

Angler's kapok buoyant cushions: Type No. 1, 13" x 19" x 2", Approval No. B–148; and Type No. 2, 14" x 20" x 2", Approval No. B–149; identified by Drawing "F"; manufactured by Atlantic-Pacific Manufacturing Corp., Brooklyn, New York.

Approval Withdrawn

Approval is withdrawn from the following items of equipment:

Embarkation Ladder

Withdrawal of approval of Myerstuen embarkation ladder, Type No. 2, R. E. (Originally approved February 19, 1940, and listed in FEDERAL REGISTER of Feb-

ruary 20, 1940); manufactured by Hamilton Engineering Co., Boston, Massachusetts.

Low Pressure Heating Boiler

Withdrawal of approval of Special 33" oil-burning boiler, working pressure not to exceed 30 lbs. psi. (Dwg. No. 1116.051, dated July 8, 1941) (Originally approved August 19, 1941, and listed in FEDERAL REGISTER of August 21, 1941); manufactured by Pacific Steel Boiler Division of the U. S. Radiator Corp., Detroit, Michigan. (R.S. 4405, 4417a, 4426, 4433, 4481, 4482, 4488, 4491, as amended, 49 Stat. 1544, sec. 6, 54 Stat. 164; 46 U.S.C. 375, 391a, 404, 411, 473, 474, 481, 489, 367, 526e)

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Approved:

WAYNE C. TAYLOR,
Acting Secretary of Commerce.

[F. R. Doc. 42-1840; Filed, March 2, 1942; 5:24 p. m.]

TITLE 47—TELECOMMUNICATION

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

PART 3—RULES GOVERNING STANDARD AND HIGH-FREQUENCY BROADCAST STATIONS

MEMORANDUM OPINION IN THE MATTER OF POLICY AND PROCEDURE FOR HANDLING STANDARD BROADCAST APPLICATIONS

Because of the present war emergency, the Commission is called upon to formulate a policy and procedures for the future handling of standard broadcast station applications. The effective conduct of the war is, of course, a paramount consideration for all of us. The requirements of the armed services have created a shortage of the critical materials and skilled personnel required for the construction, operation, and maintenance of radio broadcast stations. This must inevitably affect plans for the increase or improvement of broadcast facilities.

However, it is not clear at this time that the expansion of broadcasting should be entirely eliminated for the duration of the war. For the best war effort, it is important that there be adequate broadcast facilities throughout the nation. The three governmental agencies concerned with this problem—the Defense Communications Board, the War Production Board, and the Federal Communications Commission—are in agreement that, so far as possible, every part of the country should receive a good radio service. We have not yet reached that goal.

It follows that the scarce materials and limited personnel available to the broadcast services should be carefully conserved to meet this basic need. The public interest clearly requires such conservation and the Commission must apply the test of public interest in exercising its licensing functions. The problem as to materials is, of course, primarily the concern of the War Production Board. On January 30, 1942, the Commission announced in a press release that at the request of the Defense Communications Board, pending the adoption of a specific policy by that Board and the War Production Board, the Commission would make no further grants for the construction of stations or authorize changes in existing standard broadcast transmitting facilities where all or a substantial part of the proposed new primary service area already receives primary service from one or more other stations. The Defense Communications Board, on February 12, made its further specific recommendations to the Commission and to the War Production Board. Cooperating with both those Boards, the Commission has now worked out a policy and procedures for the handling of new and pending standard broadcast applications.

Under the policy adopted, the Commission will grant no standard broadcast station application unless a showing is made that:

(1) Construction (if any) pursuant to the grant will not involve the use of materials of a type determined by the War Production Board to be critical; or

(2) Where the application is for a new standard broadcast station, the station will provide primary coverage of an area no substantial part of which already receives primary service [1] from one or more standard broadcast stations; or

(3) Where the application is for a change in the facilities of an existing standard broadcast station, the change will result in a substantial new primary service area no substantial part of which is already provided with primary service [1] from one or more standard broadcast stations.

The Federal Communications Commission Standards of Good Engineering Practice will be used as a guide in the determination of primary service. For the time being, requests involving essential requirements for repair or maintenance will be treated as heretofore.

[1] As here used, "primary service" includes service to be rendered pursuant to an outstanding broadcast construction authorization.

Applications not heretofore acted upon which do not fall within one of the three described categories will be designated for hearing upon appropriate issues. In cases heretofore designated for hearing, where notice of issues has already been announced, specific issues appropriate to the new policy will be added. Cases which have already been heard will, when necessary to apply the new policy, be redesignated for hearing upon issues under this policy. Cases in which proposed findings have already been issued will be determined as heretofore.

Applicants who consider that their applications satisfy the new requirements may wish to support their applications by filing a proper petition supported by affidavit setting forth detailed data on this point.

In cases where an application has heretofore been granted subject to approval of a further application to be filed by the applicant, such further application will not be granted unless the proposal meets the requirements set forth above, or the applicant has, pursuant to the grant, actually commenced construction or made substantial expenditures for materials or equipment prior to the date hereof.

The Communications Act contemplates that construction permits should not be issued or allowed to remain outstanding where there is no reasonable prospect of completion of the proposed construction within a reasonable period of time. Hence, requests for extensions of completion dates under standard broadcast authorizations will not be granted by the Commission unless the applicant can by proper petition show that the proposed construction meets the requirements set forth above, or that the applicant has actually commenced construction prior to the date hereof and has available all the critical materials and equipment necessary to the completion thereof. However, requests for extension of completion dates under authorizations issued in cases where proposed findings are now outstanding will be granted if the requirements set forth above are met, or if the applicant has available all critical materials and equipment necessary for completion.

The foregoing requirements may be waived where changes in facilities are required to be made by an agency of the Federal Government.

Special policies are now being developed with respect to experimental operation, frequency modulation and television stations, facsimile, and auxiliary broadcast services, taking into account the technical experimental benefits to be gained especially insofar as they may assist the war effort. Applications involving international broadcast stations will be considered and acted upon in accordance with policies worked out in cooperation with other Governmental agencies concerned with this field.

Dated: February 23, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-1809; Filed, March 2, 1942; 1:14 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. D-9]

IN THE MATTER OF THE APPLICATION OF THE STERLING LUMBER AND INVESTMENT COMPANY FOR PERMISSION TO RECEIVE DISTRIBUTORS' DISCOUNTS ON COAL PURCHASED FOR RESALE AND RESOLD TO CERTAIN RETAIL YARDS IN WHICH IT IS FINANCIALLY OR OTHERWISE INTERESTED

ORDER POSTPONING AND CHANGING PLACE OF HEARING

The above entitled matter having been set for hearing at Washington, D. C. on March 11, 1942, pursuant to a Notice of and Order for Hearing entered therein on January 3, 1942; and

The applicant therein, The Sterling Lumber and Investment Company, having requested that the place of such hearing be changed to Denver, Colorado; and

It now appearing to be administratively convenient to hold such hearing in Denver, as requested, at the time hereinafter designated and no opposition having been interposed to the request of the applicant and good cause appearing for the granting of such request and for the postponement of the hearing;

It is hereby ordered, That the hearing in the above entitled matter be, and it hereby is, postponed from 10 o'clock in the forenoon of March 11, 1942 to 10 o'clock in the forenoon of April 10, 1942; and

It is further ordered, That the place of such hearing be, and it hereby is, changed from Washington, D. C., to a hearing room of the Division at Court Room, Circuit Court of Appeals, in Denver, Colorado; and

It is further ordered, That the time within which persons desiring to be heard at such hearing may file notice thereof with the Division be, and it hereby is, extended to March 30, 1942.

In all other respects the Notice of and Order for Hearing entered herein on January 3, 1942 shall remain in full force and effect.

Dated: March 2, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-1849; Filed, March 3, 1942; 11:02 a. m.]

[Docket No. A-1266]

PETITION OF DISTRICT BOARD NO. 11 FOR THE ESTABLISHMENT OF A PROVISION IN THE SCHEDULE OF EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11, FOR ALL SHIPMENTS EXCEPT TRUCK, PERMITTING THE ABSORPTION OF THE ES&N RAILWAY SWITCHING CHARGE APPLICABLE ON SHIPMENTS FROM THE STAR HILL NO. 2 MINE (MINE INDEX NO. 81) OF THE BOONVILLE COAL SALES CORPORATION, A CODE MEMBER IN DISTRICT NO. 11, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

ORDER POSTPONING HEARING AND DENYING MOTION FOR PERMANENT RELIEF

The petitioner has moved that the temporary relief in the above-entitled matter, heretofore granted by Memorandum Opinion and Order dated February 18, 1942, be made permanent or in the alternative that the hearing in this matter heretofore scheduled for March 3, 1942, be postponed to April 1, 1942.

It appears to the Acting Director that the temporary relief heretofore granted should not be made permanent at this time, but that good cause has been shown why the motion to postpone the hearing should be granted.

Now, therefore, it is ordered, That the hearing in the above-entitled matter is postponed from 10 o'clock in the forenoon of March 3, 1942 until 10 o'clock in the forenoon of April 1, 1942, at that place and before the officers heretofore designated.

It is further ordered, That in all other respects the Motion is denied.

Dated: March 2, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-1850; Filed, March 3, 1942; 11:02 a. m.]

[Docket No. D-8]

IN THE MATTER OF THE APPLICATION OF REPUBLIC COAL AND COKE COMPANY FOR PERMISSION TO RECEIVE SALES AGENTS' COMMISSIONS ON COAL SOLD TO CERTAIN RETAIL YARDS OWNED BY IT

ORDER GRANTING MOTION TO DISMISS AND CANCELLING NOTICE OF AND ORDER FOR HEARING

The above-entitled matter having been heretofore scheduled for hearing at 10 a. m. on March 2, 1942, at a hearing room of the Bituminous Coal Division, Washington, D. C., pursuant to an Order of the Acting Director dated January 2, 1942; and

The Applicant having filed on February 21, 1942, with the Division its Motion to Withdraw its application; and

The Acting Director deeming it appropriate that the said matter be dismissed and said hearing be cancelled:

Now, therefore, it is ordered, That the above-entitled matter be and the same is hereby dismissed without prejudice.

It is further ordered, That the hearing in the above-entitled matter be and the same is hereby cancelled.

Dated: February 28, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-1851; Filed, March 3, 1942; 11:02 a. m.]

[Docket No. A-1284]

PETITION OF DISTRICT BOARD NO. 7 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR CERTAIN COALS OF MINE INDEX NO. 637 FOR ALL SHIPMENTS EXCEPT TRUCK AND FOR TRUCK SHIPMENT AND FOR THE REVISION OF THE EFFECTIVE MINIMUM PRICES FOR THE COALS OF SUCH MINE IN SIZE GROUPS 3, 5 AND 6, FOR TRUCK SHIPMENTS, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

ORDER AMENDING NOTICE OF AND ORDER FOR HEARING AND ORDER GRANTING TEMPORARY RELIEF

A Notice of and Order for Hearing and Order Granting Temporary Relief having been issued in the above-entitled matter on February 12, 1942, stating, among other matters, that:

"The Matter Concerned Herewith Is in regard to: * * *

3. The revision of the effective minimum prices from $2.80, $1.95, and $1.90, to $2.60, $1.90, and $1.85 per net ton, respectively, in Size Groups 3, 5, and 6, respectively, for the coals of such mine, for truck shipments;" and

It appearing that the prayer of the petition in this matter was to the contrary;

Now, therefore, it is ordered, That the Order of February 12, 1942, in the above-entitled matter be and the same is hereby amended as follows:

"The Matter Concerned Herewith Is in regard to: * * *

3. The revision of the effective minimum prices from $2.60, $1.90, and $1.85 per net ton, to $2.80, $1.95, and $1.90 per net ton, respectively, in Size Groups 3, 5, and 6, respectively, for the coals of such mine for truck shipments;"

It is further ordered, That in all other respects the Order of February 12, 1942, shall remain in full force and effect until otherwise ordered.

Dated: February 28, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-1852; Filed, March 3, 1942; 11:02 a. m.]

[Docket No. A-1268]

PETITION OF THE MUSKINGUM COAL COMPANY, A CODE MEMBER IN DISTRICT NO. 4, FOR THE ESTABLISHMENT OF MINIMUM PRICES FOR CRUSHED COAL FROM ITS MINES FOR TRUCK SHIPMENTS (DURING EMERGENCY PERIODS) TO PHILO POWER PLANT, PHILO, OHIO, IN MARKET AREA 14, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

ORDER DISMISSING PETITION

The original petitioner in the above-entitled matter having moved that its petition therein be dismissed without prejudice, and there having been no opposition thereto;

Now, therefore, it is ordered, That the original petition in the above-entitled matter be dismissed without prejudice.

Dated: February 28, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-1853; Filed, March 3, 1942; 11:03 a. m.]

[Docket No. A-1289]

PETITION OF DISTRICT BOARD NO. 2 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN MINES IN DISTRICT NO. 2

[Docket No. A-1289 Part II]

PETITION OF DISTRICT BOARD NO. 2 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF THE CLINTON NO. 1 MINE (STRIP), MINE INDEX NO. 2318, OF THE UNION COLLIERIES COMPANY

MEMORANDUM OPINION AND ORDER SEVERING DOCKET NO. A-1289 PART II FROM DOCKET NO. A-1289, AND NOTICE OF AND ORDER FOR HEARING IN DOCKET NO. A-1289 PART II

The original petition in the above-entitled matter which was filed with this Division requests the issuance of orders establishing temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 2.

As indicated in an order issued today in Docket No. A-1289, a reasonable showing of necessity has been made for the granting of relief prayed for by the original petitioner, except as to the establishment of price classifications and minimum prices for the coal produced by the Clinton No. 1 Mine (Strip), Mine Index No. 2318, of the Union Collieries Company, a code member in District No. 2, for all shipments except truck and for truck shipments.

The original petition of District Board 2 proposes the establishment of price classifications and minimum prices for the coals of the said Clinton No. 1 Mine (Strip), Mine Index No. 2318, of the Union Collieries Company, for all shipments except truck and for truck shipments. District Board 3 has filed a motion for permission to file a petition of intervention and protest together with a petition of intervention and protest and a motion for severance of docket and other relief. The said petition of intervention alleges in substance that the price classifications and minimum prices proposed for the coals of this mine would deprive certain producers in District No. 3 of their fair competitive opportunities and would disrupt the coordination of minimum prices between such producers and producers in District No. 2, and prays that such price classifications and minimum prices shall not be temporarily established therefor without an informal conference, pursuant to § 301.106 (d) of the Rules and Regulations in Proceedings Instituted Pursuant to section 4 II (d) of the Act, and that they shall not be permanently established without a hearing.

Upon the basis of the said petition of intervention and protest, it appears that District Board 3 should be given permission to intervene in this proceeding and that the price classifications and minimum prices proposed for the coals of the said mine should not be temporarily established without an informal conference and should not be permanently established without a hearing. It further appears that the portion of the original petition in Docket No. A-1289 relating to the coals of the said Clinton No. 1 Mine (Strip), for all shipments except truck and for truck shipments, and the said petition of intervention should be severed from the remainder of the said original petition and designated as Docket No. A-1289 Part II, and that a hearing should be scheduled thereon. An informal conference has heretofore been scheduled as to the price classifications and minimum prices proposed for the coals of the said mine as a matter of temporary relief.

Now, therefore, it is ordered, That that portion of Docket No. A-1289 relating to the coals of the Clinton No. 1 Mine (Strip), Mine Index No. 2318, of the Union Collieries Company, be, and it hereby is, severed from the remainder of Docket No. A-1289 and designated Docket No. A-1289 Part II.

It is further ordered, That the said motion of District Board 3 to intervene in Docket No. A-1289 Part II be, and it hereby is, granted.

It is further ordered, That a hearing in Docket No. A-1289 Part II under the applicable provisions of said Act and rules of the Division be held on March 31, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Division, 734 15th Street NW., Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That W. A. Shipman or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and submit to the undersigned proposed findings of fact, conclusions, and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before March 26, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board 2 for the establishment of price classifications and minimum prices for the coals of Clinton No. 1 Mine (Strip), Mine Index No. 2318, of the Union Collieries Company, a code member in District No. 2, for all shipments except truck, and for truck shipments; and more particularly, for the establishment of price classifications "L," "L," "J," "J," "J," "J," "K," "K," "K" for the coals of the said mine in Size Groups 1 to 9, inclusive, respectively, for all shipments except truck, and minimum prices of 275, 265, 255, 240, 215, 210, 210, 220, 180, 170, and 160 cents per net ton for the coals of the said mine in Size Groups 1 to 11, inclusive, respectively, for truck shipments.

Dated: March 2, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-1854; Filed, March 3, 1942; 11:03 a. m.]

DEPARTMENT OF LABOR.

Children's Bureau.

NOTICE OF HEARING ON PROPOSED FINDING AND ORDER RELATING TO THE EMPLOYMENT OF MINORS BETWEEN 16 AND 18 YEARS OF AGE IN OCCUPATIONS INVOLVING EXPOSURE TO RADIOACTIVE SUBSTANCES

MARCH 3, 1942.

Whereas section 12 (a) of the Fair Labor Standards Act of 1938 (Act of June 25, 1938, c. 676, 52 Stat. 1060, U. S. Code, title 29, sec. 201) prohibits the shipment or delivery for shipment of goods in commerce, as defined in the act, which are produced in establishments situated in the United States in or about which within 30 days prior to the removal of such goods therefrom any oppressive child labor has been employed; and

Whereas section 3 (l) of the said act which defines oppressive child labor provides in part as follows:

(l) "Oppressive child labor" means a condition of employment under which (1) any employee under the age of sixteen years is employed by an employer * * * in any occupation, or (2) any employee between the ages of sixteen and eighteen years is employed by an employer in any occupation which the Chief of the Children's Bureau in the Department of Labor shall find and by or-

der declare to be particularly hazardous for the employment of children between such ages or detrimental to their health or well-being; * * *

and

Whereas the Chief of the Children's Bureau issued on November 3, 1938, a regulation prescribing the procedure governing determinations of hazardous occupations; [1] and

Whereas pursuant to the said regulation, an investigation has been conducted with respect to the hazardous nature of occupations involving exposure to radioactive substances with special reference to the employment of minors between 16 and 18 years of age; and

Whereas a report of the investigation, entitled "Occupational Hazards to Young Workers, Report No. 6; Radioactive Substances," has been submitted to the Chief of the Children's Bureau, copies of which will be sent upon request directed to the Children's Bureau, United States Department of Labor, Washington, D. C., showing that:

1. A hazard to health because of exposure to radioactive substances is associated with the manufacture and application of self-luminous compound and the manufacture of incandescent mantles.

2. Ingestion or inhalation of radioactive substances may result in profound anemia, radiation osteitis, malignant tumors of bones or lungs, and death. External radiation of the body may result in skin lesions and anemia.

3. In spite of great improvements in safe practices since the many deaths from radium poisoning in the earlier days of the self-luminous dial-painting industry, there continues to be some hazard in this industry at the present time.

4. Reported measurements of radioactivity in the air of a large plant which manufactures incandescent mantles and which is believed to be representative of the industry showed concentrations of radioactive gas which were from 23 to 400 times as great as the maximum permissible limit recommended by some authorities and as much as 4 times the most liberal proposed maximum permissible limit.

5. The hazard of exposure to radioactive substances is present in all occupations in workrooms in which radium is stored or used in the manufacture of self-luminous compound, and in which self-luminous compound is made, processed, or packaged; in all occupations in workrooms in which self-luminous compound is stored, used, or worked upon; and in all occupations in workrooms in which incandescent mantles are made from fabric and solutions containing thorium salts, or are processed or packaged.

6. The hazard is greater for young persons because they are not as likely as older persons to possess the qualities of carefulness, neatness, forethought, and attention to personal hygiene that are essential in the observance of safe practices.

7. The opinion was generally held by the employers interviewed that minors under 18 years of age should not be employed in self-luminous dial-painting plants or departments. While employers generally believed that there is little hazard associated with occupations in modern dial-painting plants or departments, the opinion expressed by several employers that minors of 16 and 17 years are less reliable than older workers is added reason to believe that persons under 18 are less likely to observe rules for safe practice conscientiously.

8. Industrial hygienists and other experts who have studied the hazard of exposure to radioactive substances are agreed that it would be desirable to adopt an 18-year minimum-age standard for employment in occupations hazardous because of exposure to radioactive substances; and

Whereas the Chief of the Children's Bureau, under the authority of section 3 (l) of said act proposes to issue a finding and order in the form set forth below relating to occupations involving exposure to radioactive substances,

Now, therefore, notice is hereby given of a public hearing to be held on March 25, 1942, commencing at 10 a. m. in room 7129, United States Department of Labor Building, Fourteenth Street and Constitution Avenue, Washington, D. C., before a presiding officer to be designated hereafter, at which interested parties will be given opportunity to appear and to be heard with respect to the said report and proposed finding and order. All parties desiring to appear at the hearing are requested to notify the Children's Bureau at least 5 days prior to the date fixed for the hearing. Any interested party who is unable to appear in person or by representative may submit a written comment or brief to the Children's Bureau not later than the day prior to the date fixed herein for said hearing in order that the same may be made part of the record of the hearing.

PROPOSED FINDING AND ORDER

Part 422—Occupations Particularly Hazardous for the Employment of Minors Between 16 and 18 Years of Age or Detrimental to Their Health or Well-Being

§ 422.6 *Occupations involving exposure to radioactive substances*—(a) *Finding and Declaration of Fact.* By virtue of and pursuant to the authority conferred by section 3 (l) of the Fair Labor Standards Act of 1938 [2] and pursuant to the regulation prescribing the procedure governing determinations of hazardous occupations; [3] an investigation having been conducted with respect to the hazards for minors between 16 and 18 years of age in employment in occupations involving exposure to radioactive substances; and a report of the investigation having been submitted to the Chief of the Children's Bureau;

Now, therefore, I, Katharine F. Lenroot, Chief of the Children's Bureau of the United States Department of Labor, hereby find and declare that the following occupations involving exposure to radioactive substances are particularly hazardous for minors between 16 and 18 years of age:

Any work in any workroom in which (a) radium is stored or used in the manufacture of self-luminous compound, (b) self-luminous compound is made, processed, or packaged, (c) self-luminous compound is stored, used, or worked upon, or (d) incandescent mantles are made from fabric and solutions containing thorium salts, or are processed or packaged.

(b) *Definitions.* As used in this section—

(1) The term "self-luminous compound" shall mean any mixture of phosphorescent material and radium, mesothorium, or other radioactive element.

(2) The term "workroom" shall include the entire area bounded by walls of solid material and extending from floor to ceiling.

This order shall not justify noncompliance with any Federal or State law or municipal ordinance establishing a higher standard than the standard established herein. This order shall become effective on May 1, 1942, and shall be in force and effect until amended or repealed by order hereafter made and published by the Chief of the Children's Bureau.

[SEAL] KATHARINE F. LENROOT,
Chief of the Children's Bureau.

[F. R. Doc. 42-1871; Filed, March 3, 1942; 11:51 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 436]

IN THE MATTER OF THE APPLICATION OF WEST COAST AIRLINES, INC., FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING SCHEDULED AIR TRANSPORTATION OF MAIL AND PROPERTY BY THE PICKUP METHOD

NOTICE OF HEARING

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly Sections 1001 and 401 of said Act, in the above-entitled proceeding, that hearing is hereby assigned to be held on March 9, 1942, 10 o'clock a. m. (eastern standard time) in Room 181, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before an examiner of the Board.

Dated Washington, D. C., March 2, 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-1872; Filed, March 3, 1942; 11:55 a. m.]

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[1] Published in 3 F.R. 2640, under the heading Title 29—Labor, Chapter IV.—Children's Bureau—Child Labor—Part 421, Procedure Governing Determinations of Hazardous Occupations.

[2] Act of June 25, 1938, c. 676, 52 Stat. 1060, U. S. Code, title 29, sec. 201.

[3] Issued November 3, 1938, pursuant to authority conferred by section 3 (l) of the Fair Labor Standards Act of 1938, published in 3 F.R. 2640, November 5, 1938, Procedure Governing Determinations of Hazardous Occupations.

[Orders, Serial No. 1577]

IN THE MATTERS[1] OF THE PETITIONS OF BRANIFF AIRWAYS, INC., CHICAGO AND SOUTHERN AIR LINES, INC., CONTINENTAL AIR LINES, INC., INLAND AIR LINES, INC., MID-CONTINENT AIRLINES, INC., NATIONAL AIRLINES, INC., NORTHEAST AIRLINES, INC., NORTHWEST AIRLINES, INC., PENNSYLVANIA-CENTRAL AIRLINES CORPORATION, TRANSCONTINENTAL & WESTERN AIR, INC., UNITED AIR LINES TRANSPORT CORPORATION AND WESTERN AIR LINES, INC., FOR ORDERS FIXING AND DETERMINING THE FAIR AND REASONABLE RATE OF COMPENSATION FOR THE TRANSPORTATION OF MAIL BY AIRCRAFT, THE FACILITIES USED AND USEFUL THEREFOR, AND THE SERVICES CONNECTED THEREWITH, PURSUANT TO SECTION 406 OF THE CIVIL AERONAUTICS ACT OF 1938, AS AMENDED

IN THE MATTERS[1] OF THE COMPENSATION FOR THE TRANSPORTATION OF MAIL BY AIRCRAFT, THE FACILITIES USED AND USEFUL THEREFOR, AND THE SERVICES CONNECTED THEREWITH, OF DELTA AIR CORPORATION, CONTINENTAL AIR LINES, INC. AND CHICAGO AND SOUTHERN AIR LINES, INC.

ORDER CONSOLIDATING PROCEEDINGS FOR HEARING

The Board having, by orders dated February 19, 1942 in the above-mentioned proceedings (such orders being Serial Nos. 1545 to 1559, inclusive), reopened said proceedings and directed the several carriers to appear on March 10, 1942, and show cause why the respective rate orders heretofore entered therein should not be modified to provide for automatic adjustment of the rates of compensation fixed therein upon certain terms and conditions fully set forth in the orders reopening such proceedings; and

It appearing to the Board that said reopened proceedings involve common issues and can be more advantageously and expeditiously heard in a single public hearing thereon; and

The Board finding that its action in this matter is in the public interest and will enable it to effectuate the purposes of the Civil Aeronautics Act of 1938, as amended;

It is ordered, That the aforesaid proceedings, Dockets Nos. 1-406 (A)-1, 541, 543, 382, 26-406 (A)-1, 3-406 (A)-1, 451, 128, 219, 129, 407, 18-406 (A)-1, 154, 16-406 (A)-1, 31-406 (A)-1 and 31-406 (A)-2, 331, 333, 332 as reopened by the aforementioned orders dated February 19, 1942, be and they are consolidated for the purposes of public hearing thereon, and said hearing is assigned for March 10, 1942, at 10:00 o'clock a. m. (EST), at the offices of the Civil Aeronautics Board, Washington, D.C., before an examiner of the Board hereafter to be designated.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN, *Secretary.*

[F. R. Doc. 42-1873; Filed, March 3, 1942; 11:55 a. m.]

[1] Docket Nos. 1-406 (A)-1, 541, 543, 382, 26-406 (A)-, 3-406 (A)-1, 451, 128, 219, 129, 407, 18-406 (A)-1, 154, 16-406 (A)-1, 31-406 (A)-1 and 31-406 (A)-2; 331, 332 and 333.

FEDERAL TRADE COMMISSION.

[Docket No 4627]

IN THE MATTER OF GENERAL FOODS CORPORATION, A CORPORATION; FROSTED FOODS SALES CORPORATION, A CORPORATION; GENERAL SEAFOODS CORPORATION, A CORPORATION; AND 40-FATHOM FISH, INC., A CORPORATION

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of February, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., Section 41),

It is ordered, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, March 11, 1942, at ten o'clock in the forenoon, of that day (Eastern Standard Time), in Court Room No. 4, 12th Floor, Post Office Building, Boston, Massachusetts.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-1845; Filed, March 3, 1942; 11:16 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-33, 70-263, 70-371, 70-387, 70-430, 70-431]

IN THE MATTER OF COLUMBIA GAS & ELECTRIC CORPORATION, COLUMBIA OIL & GASOLINE CORPORATION, PANHANDLE EASTERN PIPE LINE COMPANY, MICHIGAN GAS TRANSMISSION CORPORATION, INDIANA GAS DISTRIBUTION CORPORATION, THE OHIO FUEL GAS COMPANY, RESPONDENTS

NOTICE OF AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 28th day of February, A. D. 1942.

Hearings having been held with respect to certain of the matters involved in the above-entitled consolidated proceeding as to which the record has been closed, and the remaining matters involved in the said proceeding being the following:

(1) The applications and declarations of Columbia Gas & Electric Corporation and Columbia Oil & Gasoline Corporation with respect to the proposed exchange between those corporations including, among other things, the acquisition by Columbia Oil & Gasoline Corporation from Columbia Gas & Electric Corporation of the 400,000 shares of its non-cumulative participating preferred stock held by Columbia Gas & Electric Corporation and the sale by the former to the latter of all of the outstanding stocks and indebtedness of its five wholly-owned oil and gasoline subsidiary companies;

(2) The steps, if any, required to be taken to achieve an equitable distribution of voting power among the security holders of Columbia Oil & Gasoline Corporation, in accordance with the provisions of section 11 (b) (2) of the Act;

(3) The action, if any, necessary under Section 15 (f) of the Act so as to bring the plant, investment, surplus, capital and other accounts of Columbia Oil & Gasoline Corporation into compliance with the standards of the Act; and

It appearing to the Commission that evidence should be received with respect to such matters; and

It appearing that, in view of the pending removal of the offices of the Commission from Washington, D. C. to Philadelphia, Pennsylvania, it would be inadvisable to hold said hearing on March 3, 1942 as earlier suggested by the staff of the Public Utilities Division and certain of the parties to the proceeding

It is ordered, That the hearing in the above-entitled proceeding be reconvened for the purpose of receiving evidence with respect to the remaining issues therein on March 24, 1942 at 10 o'clock in the forenoon of that day at the offices of the Securities and Exchange Commission, 18th and Locust, Philadelphia, Pennsylvania. On such day the hearing-room clerk in the hearing room on the third floor will advise as to the room where such hearing will be held;

It is further ordered, That James G. Ewell or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the applicants, declarants and respondents, to other interested parties, and to any other person whose participation in such proceeding may be in the

public interest or for the protection of investors and consumers.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 42-1863; Filed, March 3, 1942; 11:39 a. m.]

[File No. 70-478]

IN THE MATTER OF NORTHEASTERN WATER AND ELECTRIC CORPORATION, GENERAL GAS & ELECTRIC CORPORATION, AND ASSOCIATED ELECTRIC COMPANY

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3d day of March, A. D. 1942.

A declaration having been filed by Northeastern Water and Electric Corporation, pursuant to Rule U-43 promulgated under the Public Utility Holding Company Act of 1935, concerned with the proposed sale by Northeastern, for a cash consideration of $75,600, to General Gas & Electric Corporation of 4200 shares of $6 Cumulative Preferred Stock of Georgia Power and Light Company, a wholly owned operating public utility subsidiary of General Gas & Electric Corporation; and

General Gas & Electric Corporation having filed an application pursuant to Section 10 of the Act concerned with the acquisition of the above described preferred stocks; and

Associated Electric Company having filed a declaration pursuant to Rule U-43 promulgated under the Act, concerned with the sale for a cash consideration of $75,600 to Northeastern Water and Electric Corporation of 600 shares of common stock, being the total capitalization of Clarion Water Company, and an open account indebtedness running to Associated Electric Company, which as at November 30, 1941 amounted to $172,236.53, of Clarion Water Company, a wholly owned operating subsidiary water company; and

Northeastern Water and Electric Corporation having filed an application pursuant to section 10 of the Act concerned with the acquisition of the above described common stock and open account of Clarion Water Company; and

The Commission finding with respect to said applications that the requirements of sections 10 (c) (1) and 10 (c) (2) of the Act are satisfied, and being satisfied that the declarations should be allowed to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that said applications, as amended, be and the same hereby are, approved and that said declarations be, and the same hereby are, permitted to become effective forthwith.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 42-1864; Filed, March 3, 1942; 11:39 a. m.]

[File No. 70-473]

IN THE MATTER OF PUBLIC SERVICE COMPANY OF INDIANA, INC.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 28th day of February, A. D. 1942.

Public Service Company of Indiana, Inc., subsidiary of Hugh M. Morris, trustee of the estate of Midland United Company, a registered holding company, having filed an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for an exemption of the issue and sale of $1,520,000, principal amount of its 4% serial notes to be issued in connection with the settlement of a dispute between Public Service Company of Indiana, Inc., as successor lessee, and Indianapolis, Columbus, and Southern Traction Company, as lessor, arising under a certain lease dated September 7, 1912, by which Indiana, Columbus, and Southern Traction Company leased all of its property to a predecessor company of Public Service Company of Indiana, Inc.; and

Public Service Company of Indiana, Inc., having requested that the issue and sale of the said serial notes be exempted from the provisions of the Rule U-50; and

A public hearing, having been held upon such application and request after appropriate notice, the Commission, having considered the record and having made and filed its Findings and Opinion herein;

It is ordered, That the said application and request be and the same hereby are granted, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 42-1865; Filed, March 3, 1942; 11:39 a. m.]

[File No. 1-1953]

IN THE MATTER OF GENERAL INVESTMENT CORPORATION COMMON STOCK, $1 PAR VALUE

ORDER GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C. on the 28th day of February, A. D. 1942.

The General Investment Corporation, pursuant to section 12 (d) of the Securities Exchange Act of 1934, and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Common Stock, $1 Par Value, from listing and registration on the Boston Stock Exchange; and

The Commission having instituted proceedings under section 12 (f) of the Securities Exchange Act of 1934 to determine whether unlisted trading privileges in said security on the New York Curb Exchange should be terminated; and

After appropriate notice, the hearings on these matters having been consolidated; and

The Commission having considered said application and the questions arising in the proceedings under section 12 (f), together with the evidence introduced at the hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of business on March 10, 1942, subject to the condition that the General Investment Corporation file with the New York Curb Exchange a copy of each report filed pursuant to section 30 (a) or 30 (b) (1) of the Investment Company Act of 1940; and

It is further ordered, That the proceeding instituted by the Commission pursuant to section 12 (f) of the Securities Exchange Act of 1934 be dismissed.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 42-1866; Filed, March 3, 1942; 11:40 a. m.]